
TRIAL OF AMERICAN U-2 SPY PILOT

Indictment, Evidence, Speeches
and Verdict

in the case of
Francis G. Powers

Moscow, August, 1960

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A sketch map of the route taken by Powers. He left the American-Turkish airbase at Incirlik near Adana in Turkey on April 27th, 1960, in a U.S. Air Force plane, en route for Peshawar in Pakistan. Here he picked up his U-2 spy-plane, climbed to 68,000 feet, crossed Afghanistan, and crossed into the Soviet Union at 5.36 a.m. (Moscow time) on May 1st. This was at a point about 12 miles south-east of Kirovobad in the Tajik Soviet Socialist Republic. He was then flying at nearly 67,000 feet. He traversed Soviet territory for 1,250 miles, until shot down by a Soviet rocket near Sverdlovsk at 8.53 a.m. The broken line indicates the route the pilot had hoped to follow—across Arkhangelsk and Murmansk to land at Bodoø in Norway.

N.B.—Sverdlovsk time is approximately two hours ahead of Moscow time.

THE POWERS' CASE

Material of the Court Hearings in the
Criminal Case of the American Spy-Pilot
Francis Gary Powers

Moscow
August 17-19, 1960

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CONTENTS

	<i>Page</i>
FOREWORD	7
INDICTMENT	9
COURT INVESTIGATION:	
Examination by R. Rudenko, the State Prosecutor ..	25
Cross Examination by M. Grinev, Defence Counsel ..	32
Questions for Clarification by the State Prosecutor ..	34
Questions by Presiding Members of Court	36
Testimony of Witnesses	37
The Findings of the Experts	40
SPEECH FOR THE PROSECUTION BY R. A. RUDENKO	50
SPEECH FOR THE DEFENCE BY M. I. GRINEV, AND LAST PLEA OF THE DEFENDANT, FRANCIS G. POWERS	75
VERDICT	86

FOREWORD

ON MAY 1st, 1960, an American Lockheed U-2 military reconnaissance plane intruded into the air space of the Soviet Union. At a time when American bombers carrying atom and hydrogen bombs are in the air on round-the-clock patrol flights, the incursion of a military plane into the air space of the Soviet Union might have easily been taken to be the beginning of an armed attack. Therefore, on that day the world was placed on the brink of war.

This provocative act caused great alarm among the public everywhere. It made the duplicity of the United States Government absolutely obvious: On the one hand, there were President Eisenhower's assurances of "a sincere desire" to normalise the international situation and, on the other, aggressive actions against the Soviet Union, provocations on the eve of the Summit Conference. The brazen statements made by United States leaders that espionage against the Soviet Union was "the calculated policy of the United States" is unprecedented in the history of international relations.

On instructions from the Soviet Government, the U-2 plane which had penetrated into the Soviet Union's air space to a depth of 2,000 kilometres¹ was shot down, and the spy-pilot was put on trial. The open trial of Francis Powers which was held in Moscow from August 17th to August 19th attracted world-wide attention. The court hearings completely upheld the charges against the American spy-flyer and simultaneously revealed the perfidious methods used by American Intelligence. They also laid bare the criminal essence of the United States' aggressive policy.

The Military Collegium of the U.S.S.R. Supreme Court established at its hearings that aggressive espionage flights are undertaken along the borders and over the territory of the Soviet Union by the United States Central Intelligence Agency with the knowledge and sanction of the Government and President of the United States.

The trial showed that these spy-flights would have been impossible had the United States not employed for aggressive purposes military bases and airfields on the territory of states bordering on the Soviet Union. This includes the territory of Turkey, Iran, Pakistan and Norway. It was confirmed once again that the establishment of American military bases on the territory of certain states constitutes a threat to peace and security.

The hearings exposed the false claims of American ruling circles that they strive for peace. The trial confirmed the truth of the repeated

¹ i.e. 1,250 miles—*Ed.*

statements made by the Soviet Government to the effect that the Government of the United States is sharply aggravating the international situation by its flagrant violations of generally accepted standards of international law.

The verdict handed down in the Powers case concerned not only a dangerous criminal who had been caught red-handed, but also the reckless policy of the United States ruling circles who are trying to elevate espionage, provocations and violation of the sovereignty of other states to standards governing international relations.

The evidence in the case confirmed the tremendous danger of the aggressive policy which the United States ruling circles are pursuing with regard to the Soviet Union and other peace-loving states. The evidence appeals to the minds and conscience of people everywhere—it urges extreme vigilance against the intrigues of the enemies of peace.

The Soviet people and peace-minded men and women the world over unanimously approve of the just verdict meted out to the American spy-flyer. They denounce most resolutely the foreign policy of the United States Government and the governments of certain of its military-bloc allies as a policy that endangers the whole of mankind. All people of goodwill consider the trial of Powers and his superiors to be a trial in defence of peace.

The following collection of materials is being published in order to acquaint the reader with the documents of the court hearings in the trial of the American spy-pilot, Francis Powers. These documents are one of the irrefutable indications of the criminal policy pursued by United States' ruling circles.

This collection includes the material of the court hearings, the speech for the prosecution by the State Prosecutor and the speech by the counsel for the defence, the last plea of the defendant and the court's verdict. It is illustrated with photographs of the material evidence in the case and with pictures taken in court.

Indictment

**against Francis Gary Powers, charged with a Crime
under Article 2 of the Law of the Union of Soviet
Socialist Republics "On Criminal Responsibility for
State Crimes"**

*(Approved by State Counsellor of Justice R. Rudenko,
Procurator General of the U.S.S.R., July 9th, 1960)*

AT 5.36 A.M. MOSCOW TIME on May 1st, 1960, an unknown plane violated the state frontier of the U.S.S.R. at a point 20 kilometres¹ south-east of the town of Kirovabad, in the Tajik Soviet Socialist Republic, intruded into the air space of the Union of Soviet Socialist Republics and penetrated deep into Soviet territory at an altitude of 20,000 metres.²

The plane which violated the Soviet frontier was tracked continuously by units of the Soviet anti-aircraft defences. This observation showed that the plane's route lay over large industrial centres and important defence objects of the Soviet Union. Throughout the entire flight, the plane remained at an altitude of 20,000 metres, i.e., a height at which no civilian planes fly. The data obtained left no doubt that this was a deliberate incursion into the air space of the U.S.S.R. with hostile aims.

In view of this, the Soviet Government ordered the plane to be shot down. In fulfilment of this order, a unit of the Soviet anti-aircraft defences brought down the aforesaid aircraft with a single rocket at 8.53 a.m. Moscow time, when it was flying at an altitude of 20,000 metres in the area of Sverdlovsk, that is over 2,000 kilometres from the point where it crossed the frontier of the Soviet Union. The pilot of the plane baled out and was detained. At the first interrogation it was established that he was Francis Gary Powers, a citizen of the United States of America. (*Vol. 1, pp. 20-23; vol. 2, p. 2; vol. 7, p. 6.*)³

An examination of the plane's wreckage and of the special equipment it carried established that it was an American Lockheed U-2 aircraft, designed for flights at high altitudes, adapted for reconnais-

¹ 1 kilometre=0.625 miles.—*Ed.*

² 1 metre=3.28 feet.—*Ed.*

³ Of the official report of the case.

sance and for this purpose equipped for aerial photography and radio observation at great heights. Found among the wreckage were films of Soviet airfields and other important military and industrial installations in the Soviet Union. Moreover, a tape recording of the signals of certain Soviet radar stations was found.

(*Vol. 1, pp. 49-52, 128-146, 227, 228, 248-253.*)

The preliminary investigation, conducted by the State Security Committee under the Council of Ministers of the U.S.S.R., established that the espionage flight of this plane had been organised with the knowledge of the United States Government by a special American intelligence unit based in Turkey and known under the code name of Detachment "Ten-Ten". (*Vol. 2, pp. 2, 3, 13, 177, 217.*)

When Comrade N. S. Khrushchov, the Chairman of the Council of Ministers of the U.S.S.R., disclosed this piratical flight in his report to the Session of the Supreme Soviet of the U.S.S.R. on May 5th, 1960, a spokesman of the U.S. Department of State admitted on the same day that the fact of the violation of the frontier of the U.S.S.R. by an American plane was "entirely possible" but would be of an accidental, unpremeditated nature. According to a State Department statement, a Lockheed U-2 aircraft was on May 1st engaged in weather research, "took air samples" in the upper layers of the atmosphere in the area of the Soviet-Turkish frontier, and strayed off course because of a failure in the oxygen equipment. This statement by the Department of State said further that the pilot had probably lost consciousness, and the plane, guided by the automatic pilot, had accidentally intruded into the air space of the Soviet Union. This version was confirmed on the same day in a statement by the National Aeronautics and Space Administration of the United States, the body allegedly controlling the aforesaid plane which, according to the statement, had been used to study gust-meteorological conditions at high altitudes. The National Aeronautics and Space Administration claimed that a search for the missing Lockheed U-2 aircraft had been started in the area of Lake Van in Turkey.

The same version was given in the note delivered by the U.S. Embassy in Moscow to the Ministry of Foreign Affairs of the U.S.S.R. on May 6th of this year.

On May 7th, addressing the Session of the Supreme Soviet of the U.S.S.R., the Head of the Soviet Government, N. S. Khrushchov, exposed the falseness of this version and cited irrefutable, concrete facts which proved beyond doubt the premeditated, perfidious, bandit character of the violation of Soviet air space by the American Lockheed U-2 aircraft, and also that the flight was undertaken for reconnaissance purposes incompatible with the elementary requirements of the maintenance of normal peacetime relations between states.

Following this, the Department of State, cornered by the facts cited

by Comrade N. S. Khrushchov, had to admit in its new statement of May 7th this year the reconnaissance nature of the flight made by the Lockheed U-2 aircraft, noting, however, that "in so far as the Washington authorities are concerned, there was no authorisation for any such flights as described by Mr. Khrushchov".

If this statement by the Department of State still left open the question of the U.S. Government's direct implication in the aforesaid brazen act of aggression against the Soviet Union, all doubts on this score were dispelled by the statement made by U.S. Secretary of State Herter on May 9th in the name of the United States Government.

Secretary of State Herter announced in his statement, unprecedented in the history of international relations, that in accordance with the National Security Act of 1947, President Eisenhower, since the beginning of his administration, had put into effect directives to carry out intelligence operations against the Soviet Union. Under these directives, as noted by Herter, programmes had been developed and put into operation providing for the incursion of American reconnaissance aircraft into the air space of the U.S.S.R.

Herter's statement was confirmed on May 11th by U.S. President Eisenhower himself, who also admitted that flights by American aircraft over the territory of the Soviet Union had been and remained "the calculated policy of the United States". The same thing was also said by the Government of the U.S. in a note to the Soviet Government of May 12th, 1960.

Especially brazen and shameless was the television speech by U.S. Vice-President Nixon on May 15th in which he not only confirmed the cynical statements, made earlier by Herter and Eisenhower and violating the standards of international law, that flights of American aircraft over the territory of the Soviet Union were a calculated policy of the United States, but went even further. Nixon declared that the United States needed a "continuous programme" of espionage, and sought to justify the obvious lie in the May 5th statement by the U.S. Department of State about the "meteorological research" allegedly conducted by the Lockheed U-2 aircraft. In other words, he was upholding for the United States of America the "right to espionage".

These statements by the Secretary of State, President and Vice-President of the United States were an official confirmation of the hostile activities conducted by the United States of America in respect of the Soviet Union over a number of years and expressed in the repeated incursions by American planes into the air space of the U.S.S.R. for intelligence purposes.

Thus, the U.S. Government has, in peacetime, officially proclaimed a policy which can only be followed by countries in a state of war.

During Eisenhower's term as President of the United States, i.e., beginning with January 1953, the Soviet Union has made several

protests to the U.S. Government against the incursion of American planes inside the frontiers of the U.S.S.R.

In assessing these incursions, the Soviet Government pointed out that "these violations of the frontiers of the Soviet Union by American military aircraft are in pursuance of definite assignments of the American military command" (Note of September 8th, 1954).

Protesting emphatically against such acts, the Government of the U.S.S.R. stressed repeatedly in its Notes to the U.S. Government that these intrusions are "a gross violation of the elementary standards of international law" (Note of September 8th, 1954), and "premeditated action on the part of certain U.S. circles aimed at aggravating the relations between the Soviet Union and the United States of America" (Note of July 10th, 1956).

In reply to all these Notes, the Government of the U.S. limited itself to formal answers.

The repeated intrusions by American aircraft into Soviet air space are a flagrant violation of the universally recognised principle of international law establishing the full and exclusive sovereignty of every state over the air space above its territory.

The principle whereby "each state has the full and exclusive sovereignty over the air space above its territory" was fixed by the multipartite Paris Convention on the Regulation of Air Navigation of October 13th, 1919, accepted by the Havana Convention of 1928 concluded by a number of American states, and repeated in Article I of the Convention on International Civil Aviation concluded in Chicago on December 7th, 1944.

The same principle of complete and exclusive sovereignty of a state over the air space above its territory has also found expression in the national legislation of various countries, including the Soviet Union and the United States of America (the Air Commerce Act of the U.S. Congress of 1926 and the Civil Aeronautics Act of the U.S. Congress of 1938).

Article I of the Air Code of the U.S.S.R. of 1935 also lays down that "the Union of Soviet Socialist Republics exercises full and exclusive sovereignty over the air space of the Union of Soviet Socialist Republics".

This principle of sovereignty is sacred and immutable in international relations.

Under these circumstances the above statements of President Eisenhower of the United States, Vice-President Nixon and United States Secretary of State Herter, who attempt to justify violations of U.S.S.R. sovereignty by American aircraft and elevate such violations into a principle of the state policy of the United States, cannot be regarded otherwise than as an open declaration of the unwillingness of the United States Government to comply with the fundamental and

universally recognised standards of international law, without the observance of which normal relations between states are impossible.

The repeated intrusions of American aircraft into the air space of the U.S.S.R., specifically the flight of the Lockheed U-2 aircraft on May 1st of the current year, constitute a gross violation of the sovereignty of the U.S.S.R. and an act of aggression which tramples underfoot the norms of international law and the high principles of the United Nations Charter to which the United States of America is also a signatory.

With the present level of military technique and at a time when, as responsible American military leaders have repeatedly declared, the United States of America is constantly keeping in flight patrol bombers carrying atomic and hydrogen bombs, reconnaissance flights involving the photographing of possible bombing targets and the spotting of radar installations constitute the component elements of a military attack from the air.

Under such conditions the intrusion of a foreign aircraft into the air space of the U.S.S.R. can at any time be an indication of the beginning of an armed attack. Moreover, there is no guarantee that any such plane appearing over Soviet territory does not carry a deadly load.

This aggressive act of the United States of America, the arrogant invasion of the air space of the U.S.S.R. by an American military aircraft, represents an action which directly jeopardises universal peace. Under the conditions obtaining, when certain states possess nuclear weapons and means to deliver them to targets almost instantaneously, the aggressive act undertaken by the United States against the Soviet Union on May 1st, 1960, might have had the gravest consequences for humanity.

The above-mentioned statements by United States Government leaders, and the Note of the United States Government of May 12th of the current year lay a heavy stress on the alleged civilian nature of the Lockheed U-2 aircraft shot down near Sverdlovsk.

The material of the investigation proves the falsity of these claims.

Identity certificate No. AFI 288,068, found on **Powers**, carries the insignia of the United States Defence Department with the inscription "Department of Defence, United States of America".

(*Vol. 1, p. 99; vol. 6, p. 11.*)

Asked whether the possession of such a certificate indicated that he was employed as a United States Air Force pilot, **Powers** replied: "It means that I served in the United States Air Force as a civilian."

(*Vol. 3, p. 180.*)

Asked further how should the institution in which he worked be regarded—as military or civil—**Powers** said:

“This is a kind of combination of civilian and military service, all this is covered and ciphered by the name of Detachment ‘Ten-Ten’.” (*Vol. 2, p. 2.*)

Powers testified that approximately in April, 1960, the Chief of Staff of the United States Air Force, General Thomas D. White, visited the Incirlik airbase with the special purpose of inspecting the “Ten-Ten” detachment. (*Vol. 3, pp. 92, 93.*)

Asked who else of the military, besides General White, had visited the Incirlik base, **Powers** said that during his stay at the Incirlik airbase it was visited on two occasions by General Everest, the Commander-in-Chief of the United States Air Force in Europe, and by other American generals. (*Vol. 4, pp. 28, 211.*)

It has thus been established that the Lockheed U-2 aircraft shot down on May 1st, 1960, belonged to the United States Air Force.

The U.S. Government’s criminal breach of the universally recognised standards of international law represents one of the elements of the aggressive foreign policy pursued by that Government. This aggressive policy has been repeatedly formulated by United States leaders, by former U.S. Secretary of State, John Foster Dulles in particular, as the “positions of strength policy”, the “deterrent policy”, and the “policy of balancing on the brink of war”.

As late as July, 1959, U.S. Vice-President Nixon, in an article published in *Life*, again highly praised the so-called “policy of balancing on the brink of war” and declared that this policy still remains one of the supreme principles of the United States of America.

It is known that this policy was manifested in the conclusion, under the United States aegis, of aggressive pacts and alliances in nearly all parts of the world, in the arms race, in the establishment of a network of military bases around the borders of the Soviet Union and other socialist countries, and in other aggressive actions endangering universal peace and security. The systematic intrusions of aircraft of the United States Air Force into the confines of the Soviet Union, including the aggressive intrusion by an American Lockheed U-2 military aircraft on May 1st, 1960, were an expression of this policy.

The reckless actions of the United States Government caused the breakdown of the Summit meeting in Paris and complicated the international situation.

The United States Government has drawn a number of states bordering on the Soviet Union into the realisation of its aggressive policy and these have lent their territories for American military bases and are consequently accomplices in the aggressive actions against the U.S.S.R.

It has been established by the investigation that the intrusion of the American Lockheed U-2 aircraft on May 1st could not have taken

place without the use of military airbases on territories of states lying close to the Soviet Union, specifically of Turkey, Pakistan and Norway, since the maximum range of the Lockheed U-2 being what it is, the aircraft could not operate from the United States territory.

It has been established that the reconnaissance unit "Ten-Ten" detachment, in which **Powers** served, was based on the American-Turkish Incirlik airbase. The unit was under the command of Colonel Shelton of the United States Air Force. The Lockheed U-2 aircraft in which the aggressive intrusion within the frontiers of the Soviet Union was carried out on May 1st of the current year, was flown from the Incirlik base to the Peshawar military airbase in Pakistan, from which it flew to the Soviet Union. This involved a breach of the sovereignty of Afghanistan, over the territory of which the aforementioned plane flew unlawfully, without the knowledge of the Afghan authorities.

Asked what reserve airfields were indicated to him for his May 1st flight, **Powers** said:

"As reserve airfields I could use any airfield in Norway, Pakistan and Iran." (*Vol. 3, p. 88.*)

It has also been established that according to his assignment, **Powers**, on completing his flight, was to land on the Bodoe military airbase in Norway, which had been already used by the "Ten-Ten" intelligence detachment on previous occasions.

These circumstances have been established by the testimony of **Powers**, his flight chart and other evidence.

(*Vol. 2, pp. 9, 28, 180, 196-198, 304; vol. 6, p. 25.*)

Instructions given to **Powers** envisaged the possibility of a breach of sovereignty of other states as well. On this question the accused **Powers** testified:

"In case of fuel being insufficient to fly to Murmansk along the planned route, I could turn west before reaching Kandalaksha and fly via Finland to Bodoe, Norway." (*Vol. 2, p. 241.*)

The instruction given to **Powers** envisaged the possibility of landing, if need be, on airfields in Finland or Sweden. This is what **Powers** testified on this matter:

"The word 'Sodankyla' written along the green line (the line on the flight chart) means that I could land at Sodankyla airfield (Finland). However, Colonel Shelton had warned me that this airfield was bad and that I might use it only in an emergency since in any case it would be better than landing anywhere on Soviet territory. He also said that the best thing was to land in Sweden or Norway, the latter being more desirable." (*Vol. 2, p. 271.*)

This testimony given by **Powers** is confirmed by the marks made on his flight chart. (*Vol. 6, p. 25.*)

Thus the investigation of the present case once more confirmed the

fact that American military bases established on the territories of certain foreign states constitute a danger to peace and to the security of nations.

For the realisation of their aggressive policy of espionage against the Soviet Union, the Government and the military command of the United States for a number of years have been selecting and training the necessary personnel. It was for this purpose that the accused in this case, Francis Gary **Powers**, was recruited.

During the investigation **Powers** testified that in 1950 he volunteered for service in the United States Air Force, underwent training at an Air Force school in Greenville, Mississippi, and later on at an airbase outside Phoenix, Arizona. After graduation he served as a pilot at various United States military airbases with the rank of first-lieutenant.

(*Vol. 3, pp. 109-113; vol. 4, pp. 43-45.*)

In April 1956, **Powers** was recruited by the United States Central Intelligence Agency to fly special reconnaissance missions on specially equipped high-altitude aircraft.

(*Vol. 2, pp. 88-92, 103, 178; vol. 4, pp. 45-49.*)

When **Powers** was recruited, the tasks he was to perform were explained to him. In this connection **Powers** testified:

“They said that my main job would be flying the aircraft along the U.S.S.R. borders to pick up any information I could about radar and radio-stations and any other information that could be picked up. They also said that there might be other duties in the future if everything went well.” (*Vol. 4, p. 47.*)

After that he signed a secret contract with the Central Intelligence Agency of the United States headed by Allen Dulles and pledged in writing to keep this enlistment secret. **Powers** was warned that for violating his pledge and divulging information about the activities of the American intelligence service he would be punished by ten years’ imprisonment or fined 10,000 dollars, or both. (*Vol. 2, pp. 92, 103-104.*)

Indeed, Chapter 37 on “Espionage and Censorship” of the United States Legal Code contains Clause 793, which stipulates such punishment for offences specified above.

Powers testified that for the fulfilment of espionage assignments of the American intelligence service he was given a monthly salary of 2,500 dollars, although when he served in the United States Air Force he was paid 700 dollars a month. (*Vol. 2, pp. 2, 91.*)

Having been enlisted by the American intelligence service he was sent for special training to a desert airfield in Nevada.

At this airfield, which at the same time is a part of an atomic testing ground, he studied for two months and a half the high-altitude Lockheed U-2 aircraft and received instruction in the operation of equipment for intercepting radio and radar signals. Piloting aircraft of this type,

Powers made high-altitude long-distance training flights over California, Texas and the northern United States.

For the sake of secrecy the spy pilots who underwent training at this airfield were registered under fictitious names. In particular, **Powers** was registered there under the name of **Palmer**.

(*Vol. 2, pp. 192-194; vol. 3, pp. 45-51; vol. 4, pp. 47-52.*)

Having undergone special training, **Powers** was sent to the American-Turkish Incirlik military airbase near Adana where the reconnaissance unit, known under the code name of Detachment "Ten-Ten", was stationed.

For the sake of camouflage this detachment, designed for intelligence work against the U.S.S.R. by the sending of spy planes into the air space of the U.S.S.R. to gather information on military, industrial and other important installations, was officially attached to the National Aeronautics and Space Administration (N.A.S.A.).

(*Vol. 2, pp. 195, 217; vol. 4, pp. 52-56, 62, 313.*)

Concerning the certificate found on **Powers** which was issued on January 1st, 1959, he stated that this certificate "says that I have a right to pilot United States Air Force planes. It was issued to me in the detachment 'Ten-Ten' at the airbase in Incirlik. The certificate was issued to us in the name of N.A.S.A." (*Vol. 3, p. 183.*)

On the orders of the "Ten-Ten" detachment command **Powers** made systematic reconnaissance flights since 1956 in a special high-altitude Lockheed U-2 aircraft along the Soviet borders with Turkey, Iran and Afghanistan. (*Vol. 2, pp. 8, 177, 178, 237-239.*)

Powers testified about these flights:

"We would take off from the Incirlik airdrome and would fly eastward as far as the town of Van, situated on the lake of the same name. After that we would proceed to Teheran, the capital of Iran, and having passed it would fly eastward, to the south of the Caspian Sea. After that I usually flew to the south of Meshed, crossed the Iranian-Afghan frontier and further along the Afghan-Soviet frontier. . . . Not far from the eastern frontier of Pakistan a turn was made and we returned to the Incirlik airdrome taking the same route. Later on we began making a turn earlier, after penetrating Afghan territory for about 200 miles." (*Vol. 3, p. 9.*)

Powers further testified that during his reconnaissance flights in this area he was told to use as reserve airdromes, for a possible landing, the airfields of Meshed and Teheran in the territory of Iran. (*Vol. 3, p. 87.*)

The route of **Powers'** flight over the territory of the Soviet Union on May 1st, 1960, was carefully prepared in advance. This is also indicated by the fact that this flight was entrusted precisely to **Powers**, who already in 1958 studied the Bodoë airfield in Norway.

As established by the investigation, on April 27th, 1960, **Powers** was

brought in a transport plane of the United States Air Force from the Incirlik airbase to Pakistan, to the Peshawar airfield. Colonel Shelton and a party of 20 people from among the maintenance staff of the "Ten-Ten" detachment arrived simultaneously at the Peshawar base to prepare this flight. The specially equipped Lockheed U-2 aircraft was flown there from Turkey by another pilot of the "Ten-Ten" detachment.

(*Vol. 2, pp. 179, 197-198, 240-244; vol. 3, pp. 6-7; vol. 4, pp. 59-60.*)

On the night of April 30th, 1960, two and a half hours before the take-off, **Powers** was ordered by Shelton to fly over the territory of the U.S.S.R. from south to north at an altitude of 20,000 metres along the following route: Peshawar, the Aral Sea, Sverdlovsk, Kirov, Arkhangelsk, Murmansk and to land at the Bodoe airfield in Norway.

In accordance with his instructions, **Powers**, when flying over certain points of the Soviet territory, had to switch on the special equipment, on board the plane, for taking aerial photographs and registering the operations of radar stations of the Soviet Union's anti-aircraft defences. According to Shelton's orders **Powers** had to pay special attention to several places along his route and to two points, at one of which a missile launching site was supposed to be located and at the other, an especially important defence installation.

Powers strictly complied with all these instructions. In his Lockheed U-2 aircraft **Powers** took off from the Peshawar airfield, climbed to an altitude of 20,000 metres, flew over the territory of Afghanistan, and intruded into the air space of the Soviet Union for more than 2,000 kilometres from the frontier. The navigation instruments and the special equipment functioned faultlessly throughout the flight. Throughout the flight **Powers** felt normal and plotted reconnaissance data on his flight chart. In the area of Sverdlovsk **Powers'** aircraft was shot down by the Soviet rocket troops.

(*Vol. 2, pp. 4, 9, 28, 37-39, 179-181, 198, 199, 239-244, 254-260, 268-271, 273-274; vol. 3, pp. 20-23, 60, 61, 132-134, 142-145; vol. 6, p. 25.*)

Asked about the circumstances under which his plane was shot down, **Powers** testified:

"... Quite unexpectedly I heard a kind of hollow explosion and saw an orange flash. The plane suddenly pitched down and, I think, its wings and tail started falling off. Perhaps the plane was not hit directly and the explosion took place near the plane and it was hit by the burst and fragments. ... I think it happened at an altitude of some 68,000 feet. ... I was shot down some 25-30 miles south or south-east of Sverdlovsk. At that moment I was keeping to the route indicated on my chart rather accurately. ...

"When the plane began to fall down I was pressed to the control

panel and could not use the catapult. I opened the canopy, unfastened the straps and got out from the plane through the top. The parachute opened automatically.”

(*Vol. 2, p. 182; vol. 4, pp. 256-257.*)

The testimony of the accused, the material evidence and the findings of experts have established that the plane piloted by **Powers** was equipped with a special blasting device permitting the pilot to blow it up in case of a forced landing on Soviet territory. Moreover, there was a blasting machine in the tape recorder for registering the signals of Soviet radar stations.

(*Vol. 2, p. 182; vol. 2, pp. 209-210; vol. 5, pp. 30, 84-91.*)

Powers was provided with a special needle with lethal poison from the curare group. This needle was given to him, as **Powers** stated, to commit suicide in case he was tortured.

(*Vol. 1, p. 37; vol. 2, pp. 10, 93; vol. 5, pp. 261-262.*)

All these plans and the thorough precautionary measures were designed to avoid the exposure of the aggressive policy of United States ruling circles and to deceive world public opinion.

Besides the poisoned needle, **Powers** was provided with: a noiseless pistol and cartridges, a dagger, a pneumatic rubber boat, a set of topographical maps of the European part of the U.S.S.R. and the adjoining countries, means for making a bonfire, signal cartridges, an electric torchlight, compasses, a saw, fishing tackle and other implements and articles, as well as Soviet currency to the amount of 7,500 roubles and valuables (gold coins, rings, wrist watches) which, as **Powers** testified, were given to him by Colonel Shelton when he boarded the plane, and were designed to bribe Soviet people in case of a forced landing on Soviet territory.

All this equipment was taken from **Powers** when he was detained.

(*Vol. 1, pp. 21-22, 34-41, 67-72, 81-83, 161-188; vol. 2, pp. 46-48, 219-220; vol. 3, pp. 244-250, 257-264; vol. 4, pp. 1-7, 16-21.*)

Witnesses **V. P. Surin**, a driver, **A. F. Cheremisin**, a worker, **L. A. Chuzhakin**, a driver, **P. Y. Asabin**, an invalid, and many others who witnessed how the Lockheed U-2 plane was hit by a rocket near Sverdlovsk and who detained pilot **Powers** after he landed by parachute, have testified as follows:

V. P. Surin:

“On May 1st, 1960, about 11 o’clock, local time, when I was in my apartment, I heard a loud noise, like that of a jet plane, but much more shrill. This got me interested and I ran into the street to find out what had happened. Then I heard an explosion and also saw . . . a column of dust. . . .

“At the same time I noticed a cloud of smoke in the sky and a white object which was coming down. I kept my eyes on it and

when it descended lower I made out it was a man coming down by parachute. When all this was happening, **Leonid Chuzhakin**, a driver whom I know from my work, pulled up next to me in a car. . . . When he got out of the car, I pointed to the descending parachutist and we started watching where he would land. Shortly afterwards we saw that he was landing . . . on the bank of a rivulet near the high voltage line. **Chuzhakin** invited me into his car and we drove to the place where the parachutist landed. Some 50 metres from there, **Chuzhakin** stopped the car and we ran to the spot where the parachutist came down.' (*Vol. 4, pp. 328, 329.*)

L. A. Chuzhakin:

"When we removed the helmet with the earphones, the parachutist said something in a language we did not understand. We asked him who he was, but he made no reply. Then we realised that he was a foreigner. This put us on the alert and then **Cheremisin** removed the long barrelled pistol in a leather holster that was hanging from his belt. We asked him by using signs whether he was alone. He replied also by signs that he was alone. Seeing that the parachutist was a foreigner we decided to detain him." (*Vol. 4, pp. 399-400.*)

P. Y. Asabin:

"The parachutist fell while landing. To prevent him from being dragged by the parachute on the ground I held on to him and helped him spill the air from the parachute, since I know how to do it having formerly served in the air force. Meanwhile my acquaintances **Anatoly Cheremisin**, **Leonid Chuzhakin** and **Vladimir Surin** came running up and helped the parachutist to get on his feet. I helped him remove the parachute, while **Cheremisin**, **Chuzhakin** and **Surin** removed the helmet with the earphones and the gloves.

"When the helmet with the earphones was removed, the parachutist said something in a language we did not understand. We asked him who he was and what had happened but he gave no reply and only shook his head. We understood that he was a foreigner and decided to detain him." (*Vol. 4, pp. 349-350.*)

A. F. Cheremisin:

"Supporting the detained parachutist by the arms, **Asabin** and I led him to the motor car standing near by in which **Chuzhakin** and **Surin** had arrived. While putting him into the car, **Asabin** noticed that the parachutist had a dagger and took it away." (*Vol. 4, p. 387.*)

An inspection of the remnants of the downed aircraft showed that the parts and the instruments of the plane were seriously damaged

when the plane was hit in the air and when it crashed. Parts of the plane were scattered over an area of about 20 square kilometres.

(*Vol. 1, pp. 47-59, 227.*)

Accused **Powers**, when shown the parts of the downed aircraft and asked what plane it was, replied:

“It is a Lockheed U-2 plane in a very damaged condition.”

When asked if it was the plane in which he flew over the territory of the Soviet Union on May 1st, 1960, accused **Powers** replied:

“To my mind this is the same plane which I piloted on May 1st, 1960. In order to tell more exactly I must see the pilot’s cockpit if it still exists. . . .”

After that, accused **Powers** was shown the preserved part of the pilot’s cockpit. When asked, “Are you familiar with this part of the plane?” he replied:

“Yes, it is familiar to me. It is a canopy of the pilot’s cockpit.

I am sure this is the canopy from the cockpit of my plane. . . .”

(*Vol. 3, pp. 158-160.*)

The experts who inspected the remnants of the downed plane concluded that it was a subsonic one-seater reconnaissance aircraft of the U-2 model of the American firm Lockheed with a single turbo-jet engine. The plane had no national identification marks. It carried equipment for photographic and radio reconnaissance, including an air camera with focal length of 36 inches and also equipment for detecting radio waves in the three centimetre, decimetre and metre wavelengths.

The plane also had a remote-controlled destructor unit containing 1.4 kilograms⁶ of explosive. The instruments and parts of the plane carry trade marks of different American firms; in particular the turbo-jet engine was made by the Pratt-Whitney firm, and the starters and electric batteries by the Hamilton Standard, General Electric and other firms. Besides, the instruments bear markings indicating that they are the property of the United States Defence Department. For instance, the equipment for radio reconnaissance, made by the Hewlett-Packard company and Huggins Laboratory, bears a special index showing that it belonged to the United States Defence Department.

The absence on the plane of national identification marks and the presence of a whole range of special devices for photographic and radio reconnaissance, and also the blasting device for destroying the plane clearly show that it was designed for espionage purposes.

(*Vol. 1, pp. 227-228, 248-253; vol. 5, pp. 84-91, 111-112; 155-158, 174-185.*)

The technical examination by experts has established that the plane carried a special aerial sound recorder connected with the radio-wave

⁶ 1 kilogram = 2.2 lb.—*Ed.*

detector, with a roll of ferromagnetic tape for eight hours of continuous operation. The sound recorder carried the index MP 12570 and serial number 769. It has a d.c. tape feed actuating mechanism made by the American Globe Industries, Inc. in Dayton, Ohio.

The decoding of the impulse signals recorded on the ferromagnetic tape has shown these signals to belong to the ground radar stations of the radar network of the air defences of the Soviet Union. These recordings make it possible to determine the range of wavelengths on which the reconnoitered radar stations operate, the frequency of impulse repetition, the time of coverage of the plane by a radar station and the area of its location, the number and operating duty of radar stations in service. (*Vol. 5, pp. 29-36.*)

The espionage nature of the flight by the Lockheed U-2 aircraft over the territory of the U.S.S.R. has also been confirmed by the findings of the technical experts who examined the plane's photographic equipment.

The experts have established that the 73-B aerial camera No. 732400 which was found on the Lockheed U-2, was a special reconnaissance camera designed for high-altitude photography of strips of land 160-200 kilometres wide.

The investigation has established that during his flight over the territory of the Soviet Union Powers photographed the terrain, and industrial, military and other important installations. Much of the film, removed from the plane, was unexposed and was developed.

The examination of the aerial film has established that the terrain photographed with a long-focus camera from the plane is Soviet territory stretching from an area west of Tashkent to Sverdlovsk. Photographed on the film are a number of military airfields and civil airports and also important industrial establishments of the Soviet Urals.

The findings of experts and the other evidence collected have established that the aerial photographs obtained during the flight of the Lockheed U-2 plane piloted by Powers, represent a wide range of intelligence on industrial and military installations within the photographed area which can be used both for reconnaissance purposes and for compiling topographical maps and also for determining the co-ordinates of strategic military installations. (*Vol. 5, pp. 177-185.*)

The espionage nature of the flight by the Lockheed U-2 plane has also been confirmed by Powers' testimony during the preliminary investigation and by his own written statement.

Questioned on the substance of the charge preferred against him, Powers pleaded guilty and testified as follows:

"I plead guilty to the fact that I have flown over Soviet territory and over the points indicated on the chart, and turned on

and off the necessary controls of the special equipment mounted aboard my plane. This, I believe, was done with the aim of collecting intelligence information about the Soviet Union."

And further on:

"In accordance with the contract which was signed by me with the Central Intelligence Agency of the United States, I was a pilot of the special air detachment of the United States dealing with the collection of information about operational radio-stations and radars on the territory of the Soviet Union, and, as I suppose, about locations of rockets." (*Vol. 2, pp. 176, 177.*)

That **Powers** is guilty of the crime he is charged with is confirmed by the material and written evidence, the findings of experts and the testimony of the witnesses.

On the basis of the foregoing:

Francis Gary **Powers**, born in 1929, a citizen of the United States, a native of Bourdyne, Kentucky, with a higher education, pilot of the special "Ten-Ten" intelligence detachment of the Central Intelligence Agency of the United States, is hereby accused of having, after he was recruited by the Central Intelligence Agency of the United States in 1956, conducted intense espionage activity against the Soviet Union which is a manifestation of the aggressive policy pursued by the Government of the United States.

On May 1st, 1960, he, **Powers**, with the knowledge of the United States Government and on instructions from the American intelligence service which is implementing the aforementioned aggressive policy, intruded into the air space of the U.S.S.R. in a specially equipped Lockheed U-2 reconnaissance aircraft for the purpose of gathering strategic intelligence on the location of missile bases, air-fields, radar facilities and other highly important defence and industrial installations of the U.S.S.R., i.e., information which is a state and military secret of the Soviet Union, and, having flown over 2,000 kilometres deep into Soviet territory, photographed with special equipment a number of the above-mentioned installations and tape-recorded the signals of radar stations, and also collected other information of an espionage character.

The crime, committed by the accused Francis Gary **Powers**, is covered by Article 2 of the Law of the Soviet Union "On Criminal Responsibility for State Crimes".

The indictment was drawn up in the city of Moscow on July 7th, 1960.

A. SHELEPIN,

*Chairman of the State Security Committee under the
Council of Ministers of the U.S.S.R.*

COURT INVESTIGATION

THE OPEN TRIAL of the criminal case of Francis G. Powers, the American spy-pilot, was held in the Hall of Columns of the House of the Trade Unions in Moscow on August 17th-19th, 1960.

Powers' case was heard by the Military Collegium of the U.S.S.R. Supreme Court under Presiding Judge V. V. Borisoglebsky, Lieutenant-General of Justice, Chairman of the Military Collegium. The people's assessors were D. Z. Vorobyov, Major-General of Artillery, and A. I. Zakharov, Major-General of the Air Force. The secretary of the court was M. V. Afanasyev, Major of Administrative Service.

The State Prosecutor was R. A. Rudenko, State Counsellor of Justice, Procurator-General of the U.S.S.R.

Powers' counsel for the defence was M. I. Grinev, member of the Moscow City Bar Association.

The witnesses called by the court were V. P. Surin, L. A. Chuzhakin, P. E. Asabin and A. F. Cheremisin.

The following experts participated in the court hearings: Colonel N. A. Alexeyev; Lieutenant-Colonel of Engineers Y. V. Tyufilin; Professor G. A. Istomin, D.Sc. (Technology); Colonel of Engineers R. A. Andreyev; Lieutenant-Colonel of Engineers K. V. Voroshilov, senior research worker; Lieutenant-Colonel of Engineers N. M. Burmistrov-Zuyev; Professor V. I. Prozorovsky, D.Sc. (Medicine), Honoured Scientific Worker and Colonel I. I. Zhdanov.

Numerous representatives of the working people of Moscow, members of the diplomatic corps, public figures and prominent lawyers from various countries, more than 250 Soviet and foreign correspondents were present in the Hall of Columns of the House of the Trade Unions.

Also present were Powers' relatives: his wife, his father and mother, his sister and mother-in-law, and lawyers who accompanied them.

The trial was conducted, in accordance with the Criminal Procedure Code of the Russian Federation, in the Russian language with translation into English.

Defendant Powers was informed of his legal rights in court: to testify in English, to take part in the court proceedings, to put questions to witnesses, to make statements concerning the testimony of witnesses, to put questions to experts, to submit new evidence, to request that new materials and documents be included in the case, to have a lawyer in court and to make a final plea at the end of the court proceedings.

Replying to questions of the Presiding Judge the defendant said

that his name was Francis Gary Powers, that he was a citizen of the United States of America, born in 1929 in the city of Bourdyne, Kentucky, that he was an American by nationality, and that his parents were alive and were residing in Pound, Virginia; that his father was a shoe repairer and his mother a housewife; that he had graduated from a college in Milligan; that he was married, and had no children; that he was a pilot by profession, his last place of work being the "Ten-Ten" detachment in Adana (Turkey).

* * *

After the indictment was read, defendant Powers, in reply to the question of the Presiding Judge whether he pleaded guilty to the charge, said: "Yes, I do."

Powers then replied to questions put by R. A. Rudenko, Procurator-General of the Soviet Union.

Questions by R. Rudenko, the State Prosecutor

RUDENKO: Defendant Powers, when did you get the assignment to fly over the territory of the Soviet Union?

POWERS: On the morning of May 1st.

RUDENKO: From whom did you get that assignment?

POWERS: From the commander of my detachment.

RUDENKO: Who is the commander of this detachment?

POWERS: Colonel Shelton.

RUDENKO: Where is this detachment stationed?

POWERS: It is stationed in Adana, Turkey.

RUDENKO: Where did you get the assignment to fly to the Soviet Union?

POWERS: In Peshawar, Pakistan.

RUDENKO: When did you arrive in Peshawar?

POWERS: I don't remember the exact date. It was a few days before the flight, four or five days.

RUDENKO: That means in the latter part of April?

POWERS: Yes, in the latter part of April.

RUDENKO: With whom did you arrive in Peshawar?

POWERS: It was a cargo aircraft with roughly twenty people and the commanding officer Shelton.

RUDENKO: Was this a special trip in connection with preparing the flight to the Soviet Union?

POWERS: Yes, the plane was assigned only to deliver our people to the airfield.

RUDENKO: From what airfield did it take off?

POWERS: It took off from Adana, Turkey.

RUDENKO: Did it fly nonstop from Adana to Peshawar?

POWERS: No, there was one landing for refuelling.

RUDENKO: Where was that landing?

POWERS: I don't remember the exact name. It was somewhere along the route. The airfield was serviced by British personnel. I think it was Bahrein.

RUDENKO: Was that a British base?

POWERS: I can only say that British personnel serviced the airplane.

RUDENKO: I see. How did the U-2 plane get to the Peshawar airfield?

POWERS: It was brought to the airfield the night before, April 30th.

RUDENKO: By another pilot?

POWERS: Yes.

RUDENKO: But it was brought for you to fly in into the Soviet Union?

POWERS: At the time I didn't know I had to make the flight, but, apparently, the plane was brought there for that purpose.

RUDENKO: Was this the plane that you, defendant Powers, flew into the Soviet Union?

POWERS: Yes.

RUDENKO: Were you, defendant Powers, the only one prepared for the flight or were there other pilots prepared too?

POWERS: There were two of us being prepared at the same time.

In reply to questions put by the Procurator, defendant Powers states that the U-2 plane on which he had flown was a special high-altitude aircraft prepared and designed to fly at very high altitudes.

RUDENKO: Is it a reconnaissance military plane?

The defendant tries to evade a direct answer, but after additional questions is compelled to confirm that the plane belonged to the detachment "Ten-Ten".

RUDENKO: Is this a military detachment?

POWERS: Yes, it is headed by military men, but there are also many civilians in the detachment.

Powers admits that the plane on which he flew had no identification insignia.

The Prosecutor then passes on to questions relating to the flight of the American spy-plane over the territory of the U.S.S.R.

RUDENKO: Now I would like to ask you what route did you follow flying to the Soviet border?

POWERS: I don't remember now the exact data of the flight, but I flew directly from the Peshawar airfield to the Soviet border.

RUDENKO: Where and at what time did you cross the border of the U.S.S.R.?

POWERS: I don't remember now the exact time of crossing the border but I would say it was approximately 30 minutes after take-off.

RUDENKO: At what altitude were you supposed to fly?

POWERS: At the maximum altitude. Altitude varies with the fuel load. As the fuel burns out the plane climbs higher.

RUDENKO: To what altitude?

POWERS: The maximum altitude is 68,000 feet.

RUDENKO: What did Colonel Shelton tell you regarding safe flying at such an altitude?

POWERS: I was told it was absolutely safe to fly over the Soviet Union at such an altitude and that anti-aircraft defence could not hit me.

RUDENKO: What was your task in connection with the flight deep into the Soviet Union on May 1st, this year?

POWERS: The objective was to follow the route indicated on the map and switch on and off designated equipment over the places indicated.

RUDENKO: Were these places marked on your chart?

At the Prosecutor-General's request Powers is shown his flight map.

RUDENKO: Were the main points of the route marked on this map?

POWERS: All the points were marked on this map.

RUDENKO: Would you name these points?

Powers picks out the various points on the map.

POWERS: One of these is east of the Aral Sea. One is north-west of Chelyabinsk. One is before and one after Kirov. There are points near Arkhangelsk, near the Island of Solo, near Kongoma, near Kandalaksha, and south and north of Murmansk. (*Here, Powers points out another spot.*) And this point was not named.

RUDENKO: What was the destination of your flight?

POWERS: I was to land at Bodoe, Norway.

During the questioning it is also established that Powers had a reserve route in case of emergency. There were also routes to the nearest airfields, showing the shortest way to them.

RUDENKO: What reserve airfields were indicated?

POWERS: There were several reserve airfields, I don't remember them. I was instructed that in case of absolute emergency any airfield outside the Soviet Union would be better than inside. (*Animation in the hall.*)

RUDENKO: In particular, an airfield in Sweden was pointed out, wasn't it?

POWERS: I don't remember whether there were any airfields in Sweden pointed out. I would not have hesitated to land there in case of emergency.

RUDENKO: Was any airfield designated on Finnish territory?

POWERS: I do not remember the name of it in Finland. Let me see. It is mentioned in the indictment.

RUDENKO: Is it the same one mentioned in the indictment?

POWERS: Yes, I am referring to the one mentioned in the indictment.

RUDENKO: How was your landing in Bodoe to be guaranteed on May 1st? Who was to meet you from Detachment "Ten-Ten"?

POWERS: There would have been people from the detachment.

RUDENKO: In other words, they knew well in advance at Bodoe about the forthcoming flight and landing?

POWERS: I was told I would be met by detachment personnel.

RUDENKO: By what means were you to get in touch with the Bodoe base in Norway before landing?

POWERS: I would have called on the radio and given my call signal, which was "Puppy 68", and asked for landing instructions.

Further questioning reveals that Powers followed his assigned route almost exactly.

RUDENKO: How did you feel during the flight?

POWERS: Physically I was all right. But I was very nervous and scared.

RUDENKO: What were you scared about?

POWERS: Just the idea of being over the Soviet Union. It is not something I'd like to do every day. (*Animation in the hall.*)

RUDENKO: Did you carry out all your assignments exactly along the route of flight up till the moment your plane was hit?

POWERS: As nearly as I could do so. There was bad weather and I deviated from the course. Most of the route was covered by clouds and I could not find my orientation on the ground.

RUDENKO: On your plane there was aerial reconnaissance photo-equipment. What instructions were you given?

POWERS: I was not given any specific instructions to operate the equipment. I was to turn switches on and off as indicated on the map.

RUDENKO: With what aim did you switch on the equipment?

POWERS: I was instructed to do so. It was indicated on the map where the equipment was to be turned on.

RUDENKO: Defendant Powers, you probably knew the purpose for which you had to turn on and off the equipment?

POWERS: I could very well guess the purpose for which I turned on and off the equipment. If I was to be very exact I would say no.

RUDENKO: I think that the defendant Powers did not doubt that this was a reconnaissance plane from the moment he started his flight?

POWERS: No, I didn't doubt it.

RUDENKO: On your plane, radio intelligence equipment and tape-recordings of various Soviet radar stations were found. Is that correct?

POWERS: I have been told so, but I don't know. In any case, I do not know what much of the general equipment looks like except what I have seen here.

RUDENKO: But you, defendant Powers, were trained enough to know that such equipment is designed for special spying flights.

POWERS: I didn't know anything about the equipment before.

RUDENKO: But you were sufficiently informed that this flight had espionage aims?

POWERS: I saw no other reasons for such a flight.

RUDENKO: Did you also make visual observations?

POWERS: Yes.

RUDENKO: Did you make corresponding marks on the map?

POWERS: Yes, I remember making three marks on the map.

RUDENKO: What marks were they?

POWERS: First of all there was an airfield not indicated on the map. I defined as exactly as possible the bearings of this airfield. The second as I remember was an oil storage. In this case I made the mark through a thin layer of clouds. I was off course and did not know the exact position. The third was a big outfit indicating a lot of buildings.

RUDENKO: You do not deny that you invaded Soviet air space in violation of the law?

POWERS: No, I do not deny it.

RUDENKO: Therefore this intrusion pursued intelligence, espionage aims?

POWERS: I suppose so.

RUDENKO: You stated here and during the investigation that you switched the equipment on and off at definite points?

POWERS: I did what the chart indicated.

RUDENKO: Not knowing what the special apparatus was?

POWERS: I never saw the apparatus.

RUDENKO: With the same ease you could have pulled a switch to release an atom bomb?

POWERS: It could have been done. But this is not the type of plane for carrying and dropping such bombs.

These words, which Powers lets drop with amazing indifference, are received with indignation in the court room.

The procurator next proceeds to ascertain under what circumstances Powers was shot down by the Soviet rocket.

RUDENKO: At what altitude was your plane when it was struck by the rocket?

POWERS: It was at the maximum altitude, at about 68,000 feet.

RUDENKO: Under what circumstances did this take place?

POWERS: I had just finished making a turn. I was flying about one minute straight after the turn when I saw, that is felt, a sort of hollow-sounding explosion. It seemed to be behind me. I could see an orange flash or an orange-coloured light behind me.

RUDENKO: In what district did this take place?

POWERS: It was a few miles south of Sverdlovsk.

RUDENKO: How did you leave the plane?

POWERS: I was unable to use the ejection seat because of the pressure arising in the falling plane. I remember that I was at a height of 30,000

feet and I realised I could not use the ejection seat. So I opened the canopy and loosened the straps. The centrifugal force pressed half of me against the instrument panel while the other half hung outside. I had forgotten to disconnect the oxygen hoses and they held me in. I had to struggle to get out. The parachute opened automatically immediately after I left the airplane. By that time I was at an altitude of 14,000 feet.

Further interrogation confirms that those who sent Powers on his spy flight furnished him with all the equipment necessary to cope with an emergency and all the necessary instructions.

Powers was instructed not only to destroy the plane in the event of a forced landing on Soviet territory, but also to use a poison needle on himself, that had been supplied to him by the same Mr. Shelton, whose character as one of the instruments of the Pentagon became clearer and clearer in the course of the trial.

RUDENKO: Why were you given Soviet currency to the amount of 7,500 roubles?

POWERS: For the same purpose as the gold coins, to bribe people if I could. But I don't know whether I could do that without speaking the language of the country on whose territory a forced landing might take place.

RUDENKO: But as soon as you, defendant Powers, landed on Soviet territory, ordinary Soviet people, sensing that you were an enemy, detained and searched and disarmed you and delivered you to the authorities.

POWERS: That is so.

Replying to questions about the poison needle, Powers says that he had expected to be tortured in the Soviet Union.

RUDENKO: And were you tortured?

POWERS: No.

RUDENKO: How did the interrogation authorities treat you?

POWERS: I was treated very well.

Powers then goes on to answer several questions linked with the beginning of his career as a spy.

RUDENKO: Tell the court the circumstances under which you signed the contract with the Central Intelligence Agency?

POWERS: I was in the service at that time, in the air forces. One day I was notified that some people wanted to see me. I went for an interview. They told me they had a very good job, and I had the qualifications for this. I was required to have training and to be away from the family overseas for some 18 months. At that time I did not know what the pay would be. But they said there would be an increase over what I received before. The next interview was in the next day or two. I liked the sound of a flying job with more money. And I told them I would be willing to be away from home, and then they told me more about what would be required. This happened a long time ago.

RUDENKO: When was it?

POWERS: In 1956. Anyway, I was to meet certain physical requirements and pass a medical examination. I was up to the mark. I was given a special flying suit for high-altitude flights. This was tested in an altitude chamber. And I was told that I would be paid 2,500 dollars a month.

I was told that my main duties would be to fly along the Soviet border and to collect any radar or radio information. I was also told that there would possibly be other duties. I signed the contract and started my training.

Powers underwent training under the false name of Palmer. Powers also indicates that the military base at Adana, where detachment "Ten-Ten" was stationed, was under the command of an American. The base was visited by General White, General Everest, commander of the U.S. Air Force in Europe, some Congressmen, and even Cardinal Spellman.

RUDENKO: Is the Cardinal also interested in military bases?

POWERS: He is a church dignitary. I would say he is interested in military personnel, not bases.

RUDENKO: The very same personnel that carries out spy flights.

The military command took special measures to conceal the true nature of the "activities" of the detachment in which Powers served. In particular, the defendant had two identification cards. One from the U.S. Department of Defence, the other from the National Aeronautics and Space Administration (N.A.S.A.). Powers admits that these documents gave him the right to fly military aircraft and simultaneously to cover up the intelligence activity of the detachment.

A vivid and genuine picture unfolds before the audience, as Powers replies to questions put by the State Prosecutor, on the preparation and carrying out of the spy flight by the American military aircraft. It shows that the American ruling circles are straining every effort to aggravate international tension, that spy flights of American planes over Soviet territory are a premeditated policy of the U.S. Government which violates the norms of international law and the lofty principles of the U.N. Charter which was also signed by the United States of America.

Powers admits that prior to his ill-intentioned incursion into the air space of the U.S.S.R. he actually made several flights along the southern borders of the Soviet Union with special equipment on board the plane. Incidentally those who gave Powers the assignment were specifically interested in the Black Sea area, and as Powers declares, in the launching of rockets.

Powers states that during these flights he "turned on and off switches" in the plane.

RUDENKO: You turned switches on and off just like you did on May 1st?

POWERS: Just in the same way.

The state prosecutor asks whether other pilots of the "Ten-Ten" detachment made similar flights.

POWERS: Yes. These flights were distributed fairly evenly among the pilots.

RUDENKO: Can you tell us how many pilots there were in the "Ten-Ten" detachment?

POWERS: There were seven civilian pilots.

RUDENKO: Such "civilian" pilots as defendant Powers?

POWERS: Yes.

The further replies given by Powers disclose with utmost clarity the role of the Governments of Turkey, Pakistan, Iran, Norway and the Federal German Republic which allowed the territory of their countries to be used for the carrying out of United States aggressive plans. Powers enumerates the airfields on which he landed in a reconnaissance plane and those which were specified as reserve airfields.

The Prosecutor asks in particular whether Powers had been previously at the Bodoe airfield.

POWERS: Yes, I was there on one occasion before.

RUDENKO: You were therefore familiar with the airfield?

POWERS: I landed there once.

RUDENKO: Was that the only occasion?

POWERS: Yes.

RUDENKO: Were other men from the "Ten-Ten" detachment at Bodoe on that occasion?

POWERS: I was met by detachment personnel.

RUDENKO: Did you have occasion to visit the base at Peshawar prior to the flight on May 1st?

POWERS: I have been there once before.

RUDENKO: When was that?

POWERS: I think it was in June, 1959.

RUDENKO: What brought you there on that occasion?

POWERS: I flew a plane there.

RUDENKO: A U-2?

POWERS: Yes.

RUDENKO: From what base?

POWERS: From Incirlik.

RUDENKO: In other words, May 1st was not the first time you were in Peshawar?

POWERS: It was the second time.

Questions by M. Grinev, the Defence Counsel

The first questions by the counsel concern Powers' biography, his family, property status, and so on. On the request of the defence counsel photographs showing how Powers lived and grew up, what his father's shop and farm looked like are included in the case record.

GRINEV: Did you take part in political life in your country and did you belong to any party?

POWERS: No, I never belonged to a political party, I never took part in political life, I never even voted. (*Animation in the hall.*)

GRINEV: What were the reasons that prompted you to work for the Central Intelligence Agency? Did this take place on your initiative?

POWERS: No, I was approached first. Afterwards, when my period of service in the air force was finished, I wanted to get a job in civil aviation, but I was too old when my term was over to be acceptable. And so when I was approached and offered this job with the same pay as that of a senior pilot of a commercial airliner, I thought I was very lucky to get such a job.

GRINEV: Under what conditions could you earn extra pay under your contract?

POWERS: It was established how much I would be getting a month. The contract was such that I would not get all the money every month. There was a sum being put aside each month to be received after successful completion of the contract.

GRINEV: Were you acquainted with the special apparatus on board the U-2 and was it installed in your presence?

POWERS: No, I had never seen any of the special equipment loaded or unloaded. It was never done in my presence. My knowledge of the special equipment was to follow the instructions on the map.

GRINEV: Were you told about the results of the reconnaissance flights?

POWERS: No, I never heard about the results of any flights. I never knew whether the equipment had worked properly or not except as indicated by signal lights in the cockpit. In the briefings that followed I was never told about the results of the flights.

GRINEV: Did Colonel Shelton ask your consent for the flight on May 1st, or was this told to you in categorical form?

POWERS: I was not asked whether I wanted to go on the flight. There were two of us preparing for the flight and I did not know which of us would go.

GRINEV: Could you refuse to go on this mission?

POWERS: No, I could not refuse. It was an order. I would have been considered a coward by all of my associates and it would also have meant an unsuccessful completion of my contract.

GRINEV: What is your attitude now to your job in the Central Intelligence Agency? (*Animation in the hall.*) And do you understand how dangerous your flight was?

POWERS: Yes, I understand a lot more now than before. At first I had hesitations in renewing the contract; I did not want to prolong it. If I could have found another job, I would have never renewed my contract—and now I know a little of the consequences of such flights.

GRINEV: Why are you sorry now, as you say, that you prolonged the contract?

POWERS: The situation I am in now is not too good. I understand that because of the direct result of my flight the Summit conference did not take place. There has been a great increase in world tension. I am sincerely sorry I had anything to do with this.

The defence counsel further questions Powers as to the attitude of Soviet people towards him during and following his detention.

POWERS: Much better than I expected. (*Animation in the hall.*) At first I don't suppose they recognised me as a foreigner. When I landed I was helped to collapse my parachute, and to get my helmet off. When it became clear to them that they were dealing with a foreigner, naturally, they decided to detain me. I asked on the way to the authorities for a drink of water. The car stopped and someone brought me water. I was also offered cigarettes to smoke.

When I arrived at—I don't know what you call it—the office where the authorities were, I complained of a headache. I had hurt my head somewhere in the accident. A doctor was called in and he treated me. Then I was taken to Sverdlovsk, and from there I came here. All the time, I was treated very well.

The counsel further asks Powers whether he was aware, when signing his contract with the Central Intelligence Agency, that he would have to make flights over the territory of the Soviet Union.

POWERS: Not at the time I signed the contract.

GRINEV: When did you first hear of this?

POWERS: I would say six to seven months after the contract was signed. And then it was said that this was to be a part of our duties. But in the meantime the Soviet radar system had proved to be much better than was considered before and I was told that we would probably limit ourselves to flights only along the Soviet borders.

GRINEV: In the event of your refusal to carry out the flight on May 1st, would you have received that portion of the money, held in escrow,⁷ under the contract?

POWERS: The way the contract was worded it would have been strictly up to the people who hired me. They could have considered it a violation of the contract on my part. I do not know what would have been decided.

Questions for Clarification by State Prosecutor

R. Rudenko then asks Powers several questions for clarification. He asks who had met Powers at the airfield in Peshawar, the circumstances of his landing and who had given permission for it. Powers replies that permission had been given by the Pakistani authorities who were informed of his plane's arrival.

⁷ i.e. Held over for payment on fulfilment of the assignment—Ed.

In reply to the Procurator's questions, Powers testifies that before invading the air space of the U.S.S.R. he flew over the territories of Pakistan and Afghanistan and, furthermore, that he had instructions, in case of need, to fly over the territories of Finland, Sweden and Norway.

Powers' replies reveal once again for all to see the high-handed attitude of the American military towards the sovereignty of large and small states, both those participating in aggressive military blocs under United States aegis and those not participating in them.

RUDENKO: Thus you violated the sovereignty of a neutral state—Afghanistan?

POWERS: If there were no permission obtained by the authorities, then I did.

RUDENKO: But did your detachment get any permission to invade the air space of the Soviet Union?

The question baffles the defendant who remains silent and then replies: I would assume not.

Replying further to the Procurator's questions the defendant confirms that his aircraft was hit at an altitude of 68,000 feet.

RUDENKO: It was at that altitude of 68,000 feet that you were flying over the area of Sverdlovsk?

POWERS: Yes.

RUDENKO: It was at that altitude of 68,000 feet that you were struck down by a Soviet rocket?

POWERS: It was at that altitude that I was struck down by something.

RUDENKO: You say you were struck down by something?

POWERS: Why, I had no idea what it was. I didn't see it.

RUDENKO: But it was at that altitude?

POWERS: Yes.

At the request of R. Rudenko, the report of the commander of the Soviet Army sub-unit which, on May 1st, 1960, shot down the American Lockheed U-2 plane on which Powers was flying, is read out in court.

"To the commander of the military unit.

"REPORT

"I hereby report that your order to destroy the plane that violated the state border of the U.S.S.R. and intruded into our country on May 1st, 1960, was carried out at 8.53 Moscow time.

"As the plane entered the firing range at an altitude of over 20,000 metres one rocket was fired and its explosion destroyed the target. The hitting of the target was observed by instruments, and, after a short interval, visual observation posts recorded falling plane fragments and the parachuting down of the pilot who baled out of the crashed plane. The results of the shot have been reported

by me to the superior command and measures have been taken to apprehend the flyer who came down by parachute.

“Major Voronov.

“May 1st, 1960.”

The state prosecutor asks the defendant why he had Soviet currency on him.

POWERS: It was to help me to get out of the country.

RUDENKO: I ask you, was it for bribery?

POWERS: If I could have done it I probably would have resorted to bribery.

RUDENKO: Did you attempt to?

POWERS: No.

RUDENKO: I feel sure your attempt would have been unsuccessful.

POWERS: I think so too. (*Laughter.*)

Questions by Presiding Members of the Court

PRESIDING JUDGE: Defendant Powers, what was the main object of your flight of May 1st?

POWERS: As it was told to me I was to follow the route and put on and off switches as indicated on the map. It stands to reason that that was done for intelligence reasons.

PRESIDING JUDGE: You testified in this court yesterday that Colonel Shelton was particularly interested in rocket-launching sites.

POWERS: Yes, he did mention one place on the map where there was a possible rocket-launching site.

PRESIDING JUDGE: Would it be correct to say that the main objective of your flight on May 1st was to discover and map rocket-launching sites?

POWERS: I can only express my opinion on this matter. I feel sure that the experts who studied the films from my cameras know what interested the people who sent me.

But in my own opinion Soviet rockets interest not only U.S. military authorities, but the whole world as well. (*Animation in the hall.*)

PRESIDING JUDGE: Defendant Powers, do you regret what you have done?

POWERS: I very much regret it.

The people's assessors, Major General of the Air Force, A. Zakharov, and Major General of the Artillery, D. Vorobyov, then ask the defendant several questions on the substance of the charge.

People's assessor Zakharov asks Powers about his preparations for the flight on May 1st.

POWERS: On the morning of May 1st, I think it was three or four hours before the flight, I was awakened, given breakfast and told that I was to fly today. Another pilot was awakened at the same time and two and a half hours before the take-off we started to breathe oxygen.

Soon after that the maps were given to me and explanations were made. There were a few points pointed out on the map that might help me to navigate. One of them consisted of the supposed position of a rocket-launching site I might see. There was another point indicated but I do not know what it was; and there were some airfields, I don't know how many. I cannot remember the entire briefing, because a good deal of time has passed since then.

ZAKHAROV: How much time did you spend in studying the route and the map?

POWERS: I had very little time to study the route and the map. I was briefed at the same time. All this took place between the time I put on the helmet until I started getting dressed, which was probably 45 minutes before the scheduled take-off. It would be roughly 1 hour 15 minutes.

ZAKHAROV: How much time did you spend preparing for the flight the first time you flew along the Soviet border in 1956?

POWERS: I knew about this flight several hours before; if I remember correctly it was the day before.

ZAKHAROV: Did you use the services of any ground radio station for navigation purposes during your flight, and if so, which in particular?

POWERS: Yes, I used my radio compass and two or three stations. I do not remember exactly. If I remember correctly one was near Stalinabad and the other at Chelyabinsk.

PEOPLE'S ASSESSOR D. VOROBYOV: Defendant Powers, when signing a contract with the Central Intelligence Agency, were you aware of the character of the intelligence work you would be doing?

POWERS: I was aware of the border flights.

VOROBYOV: And did you not know the character of the intelligence work to be required of you at the time?

POWERS: No, at that time I was only told that there might be other duties in the future.

VOROBYOV: When the contract was renewed, were you then aware of the character of your duties?

POWERS: I had been told that part of my duties would be to fly over the Soviet Union.

Testimony of Witnesses

The men who give testimonies at the trial are P. Asabin, L. Chuzhakin, A. Cheremisin and V. Surin, who detained the spy. They are ordinary Soviet people who did their duty to their country as every citizen of the U.S.S.R. would have done. They were the first to see the flames of the explosion and the billowing parachute in the sky. This happened on May 1st, 1960, in the area of Sverdlovsk.

The first of these witnesses to give evidence is Asabin:

"On May 1st, 1960," he says, "I was at home. At about 11.00 a.m. local time I heard a loud noise like that of a jet aircraft. I went out, climbed up to the roof and from there saw a column of dust rising some five kilometres from the village. . . . At that moment I saw a parachutist in the air. . . . I ran towards the place where the parachutist would land. At the time I thought that some accident had probably happened and the flier was in distress and needed help. He landed some 30 or 40 metres away from us. I ran up to him and, to prevent him from being dragged along by the parachute, I held him and flattened the parachute—I knew how to do this having once served in the Air Force.

"Meanwhile Surin, Cheremisin and Chuzhakin came running up and helped the parachutist to his feet. The parachutist was dressed in a steel-coloured suit and he wore a headpiece with a white helmet with the figure 29 on it. He wore brown shoes and had a long-barrelled pistol in a holster at his belt. I helped him get rid of his parachute and, with the aid of the others, removed the helmet with the earphones attached to it. We asked the parachutist what had happened. But he replied in a strange language and shook his head. I decided to apprehend him. I noticed a car not far away. Cheremisin and I took the pilot by the arms and led him towards the car. Approaching the car I noticed a dagger attached to his suit and took it away. Before that Cheremisin had taken away his long-barrelled pistol.

"I wanted to find out whether the parachutist had been alone and showed him first one and then two fingers, to which he raised one finger and pointed to himself. We seated the parachutist in the car and drove to the Rural Soviet. In the car I inspected the dagger and, seeing an inscription in English, told the others. During the ride the parachutist indicated by gestures that he was thirsty, so we stopped in a village and gave him a drink of water. When we came to the Rural Soviet we were met by State Security men from Sverdlovsk who searched the parachutist and then left with him. The parachutist was above average height, of solid build, with close-cropped black hair greying at the temples, and had a birthmark on the left side of his neck. I recognise the American pilot Powers sitting here in the dock as that parachutist."

When Asabin finishes his story, the defence counsel asks him about Powers' behaviour at the moment of detention. Asabin replies that Powers conducted himself quietly.

"While visiting my relatives on May Day 1960," says witness Anatoly Cheremisin, "I heard a strong explosion at about 11 in the morning, local time, which made me wonder what it was all about. I went out into the street and noticed a parachutist in the sky. I ran to the place where he probably would land. The parachutist fell as he landed.

Asabin immediately ran up to him and helped him spill the air from the parachute. I, as well as Surin and Chuzhakin, ran up to him at the same time and helped the parachutist to his feet. We all started to help him remove his equipment.

"After his helmet and earphones were removed he was asked to identify himself, say where he came from and to explain what had happened to him. But there was no reply. This cautioned us. I noticed that the stranger wore a long-barrelled pistol in a yellow holster on the belt of his flying suit and took it away from him.

"After this Asabin and I took the parachutist under his arms and led him to a car which was standing close by. While we were getting the unknown person into the car, Asabin found and removed from him a dagger. We took the parachutist to the neighbouring village, to the village Soviet. While we were thus engaged two men from the State Security organs arrived and we turned over to them the parachutist with his belongings."

Testimony of witness L. A. Chuzhakin:

"In the morning of May 1st, 1960, I drove in a car to a neighbouring village. On my way back, at about 11.00 a.m., local time, I suddenly heard an explosion. Seeing Surin standing by the road I stopped the car and asked what had happened. In reply Surin pointed up and I saw a parachutist descending. We then decided together to help the parachutist unaware of whether he was a Soviet person or a foreigner. . . .

"Surin, Cheremisin and I rushed up simultaneously to the parachutist. Asabin was already there. The four of us helped the parachutist to his feet, freed him from his parachute, took off his helmet and the earphones attached to it and his gloves and asked what had happened, but he answered in a strange language. This made us suspicious. On seeing that he had a long-barrelled pistol, we took it away immediately and decided to turn him over to the State Security organs. We seated the parachutist in the car next to the driver and put the parachute and all his equipment in the luggage compartment. When we were helping the parachutist into the car we noticed that he had a dagger and took it away. . . . On the way he showed us with gestures that he was thirsty. I stopped the car and we gave him some water. The pilot also asked for a cigarette. My comrades gave him our brand of cigarettes.

"We returned to the neighbouring village where State Security men were already waiting for us. We handed the parachutist over to them. Later, at the pilot's request, I fetched a doctor."

"I was at home on May 1st, 1960," *witness V. P. Surin says*, "when at approximately 11.00 a.m. I heard a loud noise like that of a jet aircraft, only more piercing. I went out into the street when I heard a loud explosion and saw a column of dust rise in the distance outside

the village. Not understanding what had happened I looked up and saw in the air a descending parachutist. At that moment Chuzhakin drove up to me in a car. I pointed to the parachutist and we followed him with our eyes to see where he would land. Then we drove to the spot where we figured he would land.

"Some 50 metres from the spot where he landed we stopped the car and ran to the parachutist. We found Pyotr Asabin there who was helping to flatten the parachute. We all helped the parachutist rise to his feet and began unfastening the parachute and taking off his ear-phones, a helmet and gloves. Then I asked him what had happened. He answered in a language we did not understand and shook his head. We realised that he was a foreigner and decided to detain him. Cheremisin immediately took away from him a long-barrelled pistol. Asabin and Cheremisin then took him under his arms and led him to the car. At that moment Asabin took away a dagger which the parachutist had. We delivered the parachutist to the Rural Soviet where we handed him over to State Security men."

The Findings of the Experts

The commission of experts on whose behalf Colonel N. Alexeyev addressed the court was instructed to establish: the state of which pilot Powers is a citizen, the origin and purpose of the flight documents, and the meaning of the inscriptions made on the flight documents.

A large number of flight documents and papers identifying pilot Powers had been placed at the disposal of the commission of experts.

After a thorough study and analysis of these documents the commission of experts divided them into three groups.

The first group contained documents identifying pilot Powers.

These documents include:

1. Identification Card No. AFI, 288,068, in the name of Francis Gary **Powers**, bearing the stamp of the United States Defence Department.

2. A medical certificate issued to Francis Powers showing that he was serving in the United States Air Force.

3. Rules for the use of aircraft belonging to the Air Force by test pilots of the National Aeronautics and Space Administration, registered as United States Air Force instruction No. 5526, signed by Chief of the United States Air Force Staff, Thomas White, and addressed personally to Francis Powers on January 1st, 1959.

4. Two certificates entitling Francis Powers to engage in blind flying, issued by the headquarters of the Bolling United States Air Force Base, District of Columbia.

The second group of documents studied by the commission of experts consists of flight documents referring specifically to the flight made by pilot Powers over U.S.S.R. territory on May 1st, 1960.

These documents include:

1. Separate parts of a flight chart, made by pasting together sheets of a navigation chart for jet aircraft flights published by the Aerial Navigation Department of the United States Air Force (Scale 1 : 2,000,000) and cut in a strip covering 560 to 700 kilometres along the route of the flight.

The route for the flight is marked on the chart (in pencils of different colour) from Peshawar (Pakistan) through Afghanistan to Stalinabad, eastwards of the Aral seaboard, Chelyabinsk, Sverdlovsk, Kirov, Archangel, Kandalaksha. Further a double route is shown: one branch goes through Murmansk along the Scandinavian Peninsula over Norwegian territory to Bodoe; the second branch goes westward through Finland and Sweden to Norwegian territory. The total length of the flight route is 6,100 kilometres, of which 4,700 kilometres are over the territory of the U.S.S.R.

Along the line of the route pencil marks and special stamps indicate the navigational elements of the flight (the course and the estimated time for each stage) and a large number of radio stations with the frequencies at which they work. In addition to this the flight chart shows the whereabouts of certain aerodromes on Soviet territory and points at which the special apparatus, indicated by the letters QG, was to be switched on and the procedure for doing it.

Along the section of the route from the Soviet frontier with Afghanistan to Sverdlovsk there are notes in English made during the flight. These include: the time the landmarks were overflown and the special apparatus switched on; data on the actual state of the weather; and the location of airfields, fuel stores and industrial buildings.

The notes made on the chart of the actual time the landmarks were reached are evidence that the flight was carried out along a predetermined route at an average speed of 750 kilometres an hour.

The amount of preparatory work on the chart, its size (the total length of the chart is over 3 metres), the thoroughness with which the preparations were made and the multitude of different data entered on it by hand and by special stamps show that the flight had been prepared beforehand; that all the graphic data and calculations on the flight chart were made on the ground before the take-off.

The notes made on the chart during flight show that throughout the flight (as far as the Sverdlovsk area) pilot Powers knew his whereabouts and kept a systematic check on the landmarks over which he flew, i.e., he carried out a flight along a prearranged route.

2. Part of a log-book in which were entered: the name of the pilot Powers, the number of the aircraft, 360 . . . (the last figures were undecipherable), the date and time of the take-off (0126 hours G.M.T., 1.5.1960), the call signal, "Puppy 68", of the aircraft, the presence of special equipment on board, known by the code letters B-T and the

sortie number—4154. Entries in the journal refer to a number of actions by the pilot, the radio apparatus used, the navigational elements of the flight, the expenditure and remaining stock of fuel depending on the distance covered.

This document and, in particular, the entries giving the date and time of take-off, the number of the flight and the estimate of fuel expenditure for the various stages of the route also prove that the flight of the American aircraft over Soviet territory on May 1st, 1960, was deliberate and planned beforehand.

3. A cutting from a synoptic chart with the route marked on it attached and with weather forecasts for each stage of the flight entered on it and instructions concerning landing conditions at the end of the flight. This document is also evidence that Power's flight was planned beforehand and that very thorough preparations were made.

4. Four sheets of two-sided aerial navigation charts of the United States Air Force marked "Confidential"—scale 1 : 2,000,000—issued by the Aerial Navigation Department of the United States Air Forces, Washington; the charts were for the territory of Europe and the U.S.S.R.

These charts were apparently Powers's reserve to be used in the event of serious deviation from the given route or in case of a forced landing on the territory of the U.S.S.R., which may also serve to confirm that the flight was thoroughly prepared in advance

The third group consists of flight documents of the universally accepted type that are required by flight personnel on any flight. These include:

- record of aerial navigation charts;
- check list of apparatus on board;
- list of the aircraft's equipment;
- directory of European aerodromes.

A thorough study and analysis of the documents presented to the commission, the volume and nature of the work done on the flight documents and the notes made by the pilot during the flight, led the commission of experts to the conclusion that:

Pilot Francis Gary Powers belongs to the United States Air Force.

The flight of the American aircraft over the territory of the U.S.S.R. on May 1st, 1960, was deliberate and planned in advance; the charts with the route plotted and the navigational data were prepared on the ground before the flight.

During the flight pilot Powers knew his location, regularly controlled the passage over the given landmarks and virtually carried out a flight along a previously charted route.

During the flight over Soviet territory pilot Powers entered on his map information of an intelligence character and data on the actual state of the weather along the route.

Expert Lieutenant-Colonel of Engineers Y. Tyufilin reports on the findings of the commission of experts in establishing the presence on the Lockheed U-2 plane of identification marks.

“The remains of the U-2 plane,” he says, “were turned over to the experts for examination.

“The surface of the remains of the downed U-2 plane which were examined—the wings and the fin—showed that the varnish and paint covering of the above surfaces were well preserved and this provided the opportunity for checking by visual investigation whether there were any identification marks on the plane.

“As a result of the investigation no identification marks indicating nationality were discovered. The investigation also established that the varnish and paint covering was of the same colour on the entire surface of the parts of the U-2 plane under inspection. The surface had a smooth coating without any thickening which showed that the surfaces were painted at approximately the same time.

“In order to determine whether identification marks on this given plane were specially painted over, we checked on whether there were any identification marks under the layer of varnish and paint. With this in view the coatings were gradually washed off with solvents in places where identification marks would most probably be made. . . .

“While doing so it was established that in the places where identification marks could possibly be found, the coating, according to the number of layers, their colour, and the consecutive application of these layers differed in no way from the coating of the other places of the same surface of the plane. The upper surfaces of the wings have six layers of paint, layers which, according to colour, are in the following sequence, starting with the lining material: yellow, dark grey, white, dark grey, yellow and dark grey. We failed to discover identification marks under any of the layers of paint.

“On the basis of the above statement, the commission of experts considers that the Lockheed U-2 plane shot down on May 1st has no identification marks indicating nationality and has not had them since it was last painted.”

G. Istomin, D.Sc.(Techn.), states the conclusions of the commission of experts on the photographic equipment of the plane:

“A study of the remnants of the U-2 photographic equipment enabled the commission to establish that a wide-angle long-focus air camera model 73-B was installed on this aircraft for aerial reconnaissance photography. The name of the model of the camera is given on several company name-plates fastened to the camera body. The locks of the removable spindles of the film spools carry an inscription showing that they were made in the United States.

“For its tactical and technical characteristics, the 73-B model is a reconnaissance air camera and its salient feature is that it is designed

to photograph large areas from the air in the course of one flight.

"The air camera has a rotating lens for ensuring multi-strip photography. In the course of the flight on May 1st, 1960, the air camera was used for seven-strip photography consecutively through seven glass-encased aircraft windows in the skin of the plane. The lens cover was from 160 to 200 kilometres in width.

"The camera was loaded with two films, each of which was 24 centimetres wide and about 2,000 metres long. The films were placed parallel to the focal plane of the camera so that during each action of the shutter two films were exposed with a total size of 45×45 centimetres. The supply of film in the camera made it possible to receive about 4,000 paired aerial pictures, i.e., to photograph in the course of the flight on May 1st, 1960, a route of about 3,500 kilometres.

"The air camera had a lens with a rated focal length of 915 millimetres; the rated focal length of the lens and the actual focal length of the aerial camera, equal to 944.7 millimetres, are indicated on the body of the lens.

"The camera lens with a sufficiently long focus made it possible to obtain from the high altitudes at which the plane was flying relatively large-scale photographs suitable for the purposes of aerial reconnaissance. The image scale of the pictures obtained over the territory of the U.S.S.R. on May 1st, 1960, was 220-230 metres in one centimetre. On photographs of such a scale it was possible to determine the designation of most industrial and military installations.

"The film used in the 73-B model camera was studied with regard to its photographic characteristics, resolving power, spectral properties, structure, composition of the emulsion layer and the properties of the base.

"The film which was on the Lockheed U-2 aircraft possessed high sensitivity and could ensure aerial photography throughout the day. It is a film of a special grade designed for aerial surveys from high altitudes. Compared with the film used in American spy balloons of the 1956 model, the given grade has been improved for a number of specifications essential for high-altitude aerial photographic reconnaissance of military, industrial and topographic objects.

"The film from the U-2 aircraft was processed. The negatives obtained after laboratory treatment were identified and map-controlled.

"The results of the map control of the negatives showed that aerial photographs were taken from the U-2 aircraft on May 1st, 1960, over the territory of the U.S.S.R. along a route passing from an area West of Tashkent to Sverdlovsk.

"The route along which photographs were made conforms to the route of flight plotted on the flight map which Powers had.

"The altitude at which aerial photographs were taken was determined by the pictures with account taken of the actual focal length of the

camera; according to this determination, the altitude was 20,000-21,000 metres.

"Identification of the aerial pictures shows that the latter contain diverse espionage information about objects located along the route of the plane's flight. The aerial photos show large inhabited places, industrial and military installations, factories, plants, electric stations, warehouses, mines, various means of communication, airfields, and anti-aircraft defence equipment. The aerial photos can be used both for espionage purposes and for specifying topographical maps."

The commission of experts established the following:

"1. The 73-B model camera, installed on board the Lockheed U-2 aircraft, is a special reconnaissance air camera designed for aerial photography of a large area during high-altitude flights.

"2. The film used in the camera installed on board the Lockheed U-2 aircraft is of a special grade designated for aerial photographic reconnaissance of military and topographical objects from high altitudes.

"3. The photographing of the territory of the Soviet Union was made from an altitude of about 21,000 metres on a sector running from an area north of the Soviet-Afghan state border up to the Sverdlovsk area. The route of the flight (judging by the results of map control of the aerial photographs) conforms to the route plotted on the flight map Powers had.

"The total supply of film in the camera made it possible to photograph a route of about 3,500 kilometres long, i.e., to photograph a considerable part of the territory of the Soviet Union along the route of the plane's flight.

"4. The aerial photographs taken contain sufficiently complete and diverse espionage information regarding industrial and military installations located on the photographed territory and can be used both for espionage purposes and for compiling and correcting topographical maps and determining the co-ordinates of military and topographical objects.

"Thus, a study of the remnants of the photographic equipment of the Lockheed U-2 aircraft which violated the state frontier of the U.S.S.R. on May 1st, 1960, and the materials of the aerial photography taken from it, lead to the conclusion as to the reconnaissance nature of this equipment and the espionage purposes of the flight by this aircraft."

Colonel of the Engineers R. Andreyev reports on the findings of the commission of experts on radio-technical apparatus found on May 1st, 1960, at the spot where the plane of the Lockheed U-2 type fell in the vicinity of the city of Sverdlovsk.

The expert says that, as a whole, the radio apparatus examined is a system of airborne radio reconnaissance equipment, intended for the collection of information on the structure of the radio-technical service of the anti-aircraft defence system of the Soviet Union, its individual towns, big industrial and administrative centres, as well as data on separate radio stations in this system.

These data on the radio-technical service of the anti-aircraft defence system of the Soviet Union were recorded on a ferromagnetic tape which was found to contain signals of ground radar stations of the Soviet Union.

Lieutenant-Colonel of the Engineers, K. Voroshilov, reports on the results of the examination of the firearms and certain other items of the equipment belonging to the defendant Powers.

Expert Lieutenant-Colonel of the Engineers, N. Burmistrov-Zuyev, reports on the technical examination of the special demolition mechanism—the destructor unit—found in the wreckage of the Lockheed U-2 aircraft.

The investigations conducted by the commission of experts establishes the following:

“1. Design of the Destructor Unit

“The destructor unit (Model 175-10A) was manufactured by Beckman and Whitley and was located near the cockpit. The unit consists of a housing containing an explosive, and a cover; there is also an exploder with a safety catch, electric detonators, micro-switches and wires connecting the unit to the control system of the aircraft.

“The housing of the unit is a metal cylinder divided into two parts by a partition.

“The lower part contains the explosive and the upper part the exploder.

“The exploder also contains a safety device consisting of a rotating electro-magnet with a shaft and a safety-catch. There is an aperture in the shaft to take the safety catch which also has two detonator caps pressed into it. Another two detonator caps are pressed into the partition of the unit’s housing.

“When the unit functions, the electric detonators and the detonator caps of the shaft and the partition form a single detonating circuit for the transmission of the detonation from the electric detonators to the basic explosive charge. This is effected by turning the magnet shaft into the working position and thus closing the micro-switches in the feeder circuit of the electric detonators.

“When the unit is at ‘safety’, i.e., when the safety-catch is inserted, no explosion occurs because the safety-catch prevents the shaft of the electro-magnet from turning to the working position and, consequently, prevents the feeding of the electric detonator circuit.

"2. Method of Operating the Destructor Unit.

"The unit is operated from the pilot's cockpit.

"On the panel in the pilot's cockpit supplying alternating current to the automatic pilot, bank indicator and other apparatus using electric power, there is the word 'explosion' under which, it is assumed, there was a special switch for remote control.

"The elements of the remote control circuit were not found.

"For this reason it is impossible to reconstruct the remote control system of the unit exactly. On the basis of the general design of the unit, however, the following variants of a remote control system are possible:

"Electric control with a timing mechanism;

"Electric control without a timing mechanism.

"Both designs involve placing the mechanical safety device in the working position, i.e., the withdrawal of the safety-catch from the mechanism effecting the explosion.

"The safety-catch may be connected mechanically with any part of the aircraft that separates when the plane is abandoned by the pilot (for example, with the cockpit ejector system).

"Should it be necessary to blow up the aircraft when grounded the safety-catch may be withdrawn by hand.

"In the first variant for remote control, that with a timing mechanism, the unit may be made to function by closing the switch marked 'explosion'.

"It was impossible to establish the time lag of the explosion since no timing mechanism was found in the wreckage.

"In the second case, with no timing mechanism, the explosion may occur instantaneously without the interference of the pilot—immediately after the safety-catch has been withdrawn and the blocking contacts, which could be affixed to any ejectable part of the aircraft (for example, the ejector system) have been closed.

"3. The Explosive Contained in the Destructor Unit and its Destructive Power.

"The examination showed that the charge of the unit weighed about 1.4 kilograms.⁸

"Laboratory examinations made in the course of the investigation showed that the explosive used is hexogen, a substance used by the United States army for the preparation of demolition charges and in American explosive mixtures. The destructive power of the charge may be estimated by comparing the weight of the hexogen with the weight of the same explosive used in American aircraft percussion missiles. The destructive power can be more accurately judged by the pressure (gauge) of the shock front caused by the blast.

⁸ 1 kilogram=2.2 lb.—Ed.

"Investigations showed that 1.4 kilograms of the explosive could cause the following damage:

"At distances up to 2.4 metres from the charge—complete wrecking of the aircraft, instruments and equipment;

"at distances up to 3.2 metres—destruction of the power units of the aircraft, instruments and equipment, breaking of overall strength;

"at distances up to 4.7 metres—destruction of the outer covering of the aircraft, breaking of local strength.

"The destructive power of 1.4 kilograms of the explosive used, ensures, therefore, the complete wrecking of the aircraft and the destruction of the instruments and equipment during explosion.

"4. Purpose of the Destructor Unit.

"Judging by the design and the weight of the explosive removed from it, the destructor unit was intended to completely destroy the aircraft, in case of necessity, either in the air or when grounded in the event of a forced landing.

"What is noteworthy is the fact that the history of aviation does not know cases when such devices for demolition purposes were installed on aircraft, either civil or military (bombers) of different states. The aircraft of the Air Forces of various countries are usually equipped with low-power demolition devices intended to destroy special aircraft apparatus, such as coding devices in the identification call-signal system or units of other radio or similar devices.

"The destructor unit on the U-2 is specially designed to destroy the entire aircraft in case of necessity."

Prof. V. Prozorovsky, D.Sc. (Medicine), Honoured Scientist of the R.S.F.S.R., informs the court in particular of the results of the investigation made of the poisoned needle given to Powers and with which he was to commit suicide in case of detention. The expert demonstrates this needle in court.

This is a straight needle of usual appearance, made of white metal, with a head and a sharpened point. It is 27 millimetres⁹ long and 1 millimetre in diameter. The scientist explains that there is a bore inside it extending through its entire length except for the sharpened point. Inserted in the bore is a needle. On the sharpened point of the needle are deep, oblique furrows completely covered with a layer of thick, sticky, brownish mass.

According to Prof. Prozorovsky's statement, the substance contained in the needle can be included in the group of the most powerful and quickest-acting of all known poisons.

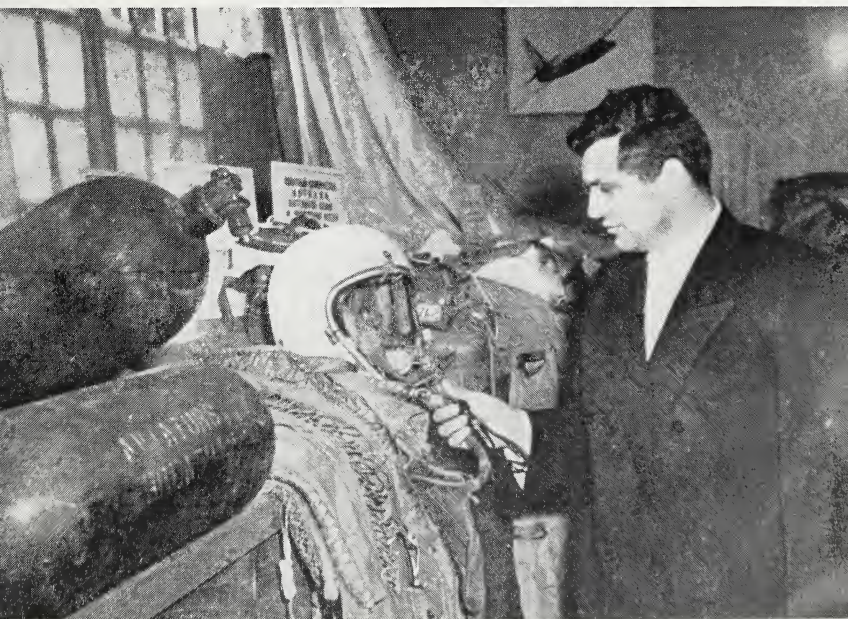
Colonel I. Zhdanov informs the court on the results of the study made of the maps, films and other materials found among the remains of the plane.

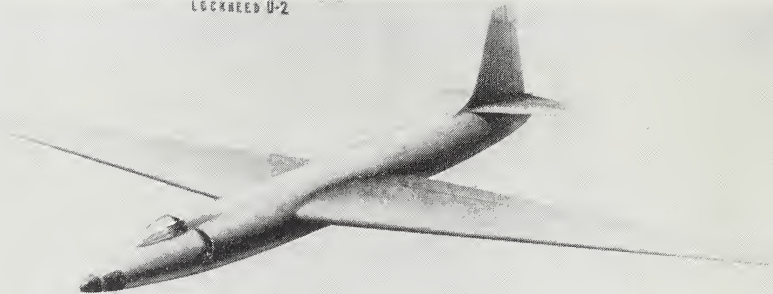
⁹ 1 mm. = 0.03937 in.—Ed.



The pilot of the U-2, Francis G. Powers. On the left, in his high-altitude helmet and on the right in a civilian suit before the trial.

Below: Powers looks around the Moscow exhibition of the fragments of his plane and fingers the helmet he was wearing when he baled out.





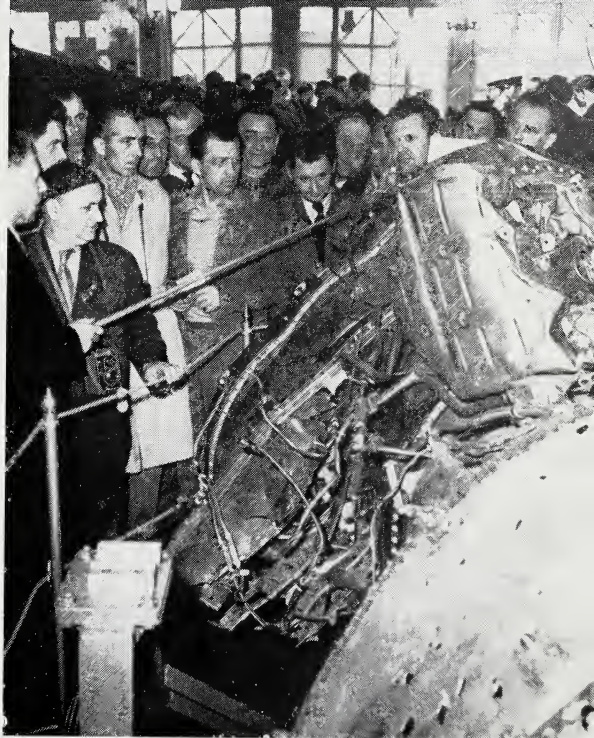
BEFORE AND AFTER: A drawing of the American Lockheed U-2, a high-altitude jet single-seater equipped with cameras and other recording devices.

Below: The major part of the plane after being shot down by a Soviet anti-aircraft rocket crew. Parts of the plane were recovered from a wide area, and the pilot himself, after a parachute descent was captured by collective-farm workers.

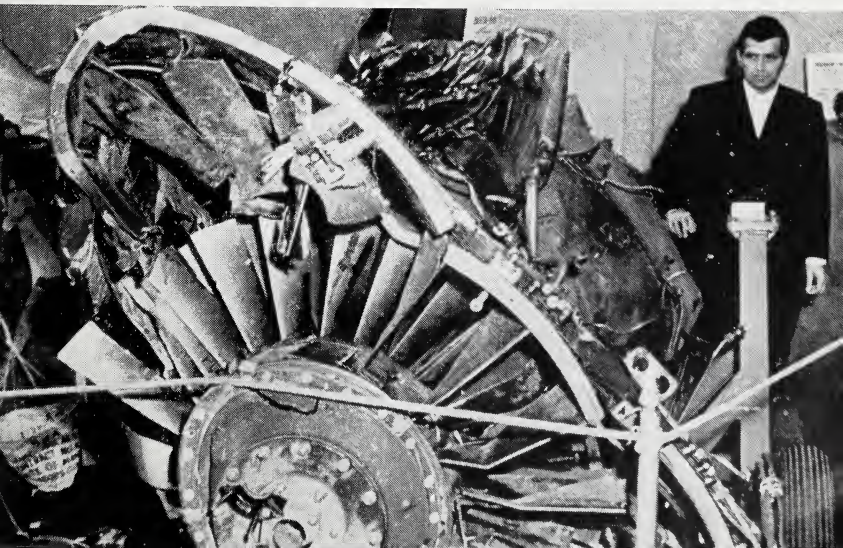


*At the exhibition of the
spy-plane fragments in
Moscow.*

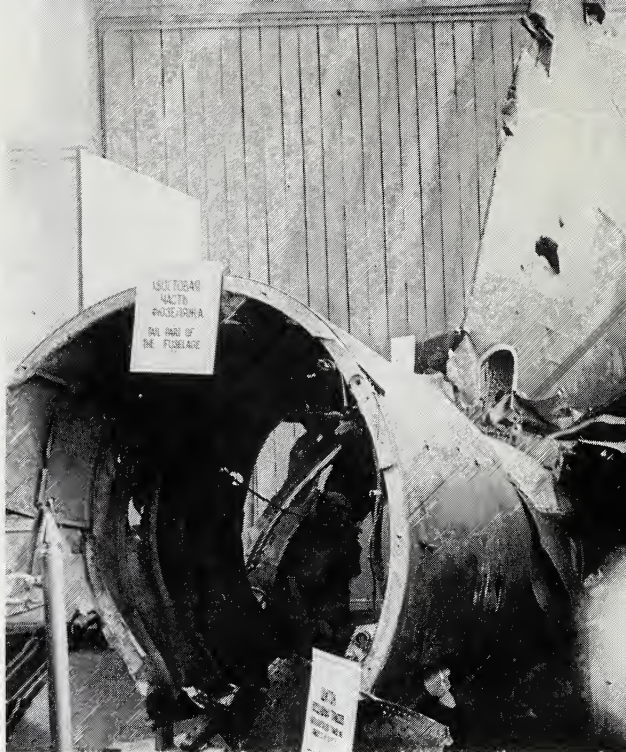
*Right: A Soviet aircraft
engineer describes the
parts to visitors. Perfora-
tions from fragments of
the Soviet rocket can be
seen.*



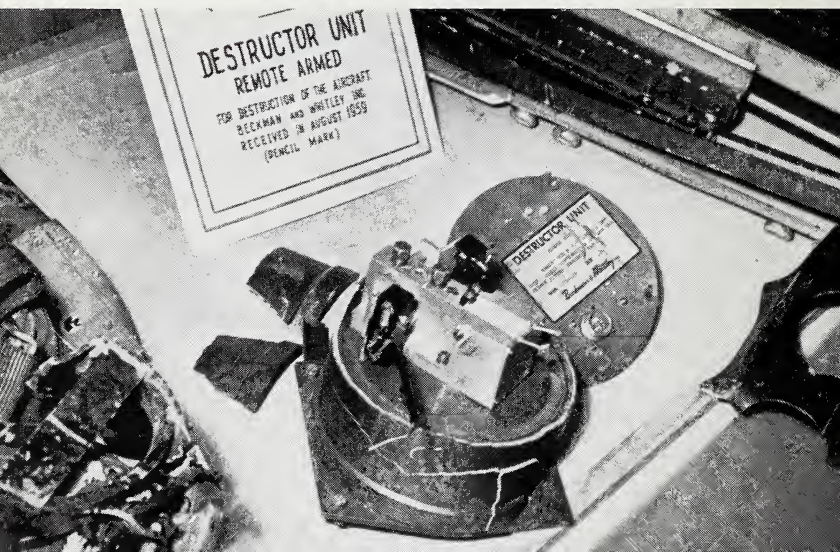
*Below: Powers, in dark
suit and cigarette in hand,
views the remains of his
Pratt-Whitney jet engine.*

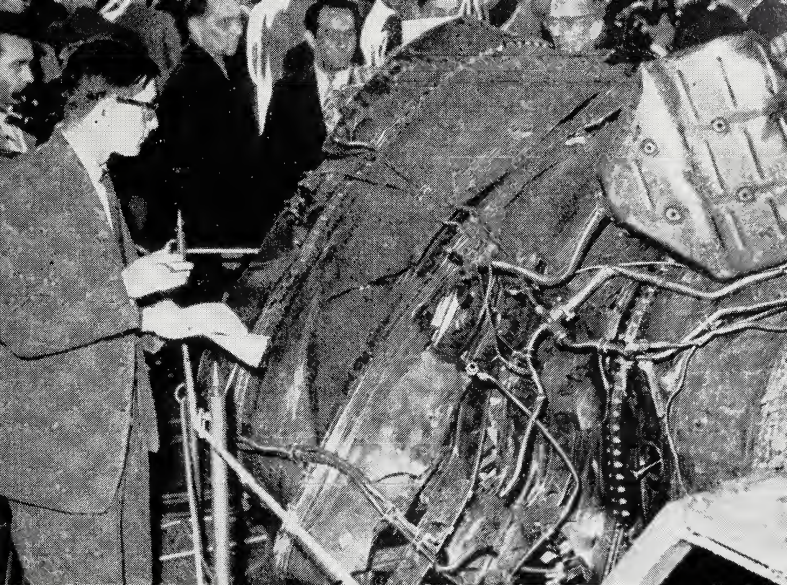


Right: The rear of the fuselage and tail fin bearing no identification marks.



Below: The destructor unit by means of which it was hoped all trace of the plane's origin and purpose could be obliterated.





Journalists at a press conference at the Moscow exhibition, examine the fuselage (above) and one of the wings (below).





SPYCATCHERS . .

Those responsible for the destruction of the plane and the capture of the pilot receive praise and awards.

Above: Chauffeur L. Chuzhakin receives a "For Valour" medal and present in Sverdlovsk.

Below: The rocket crew which brought the U-2 down with the first shot.



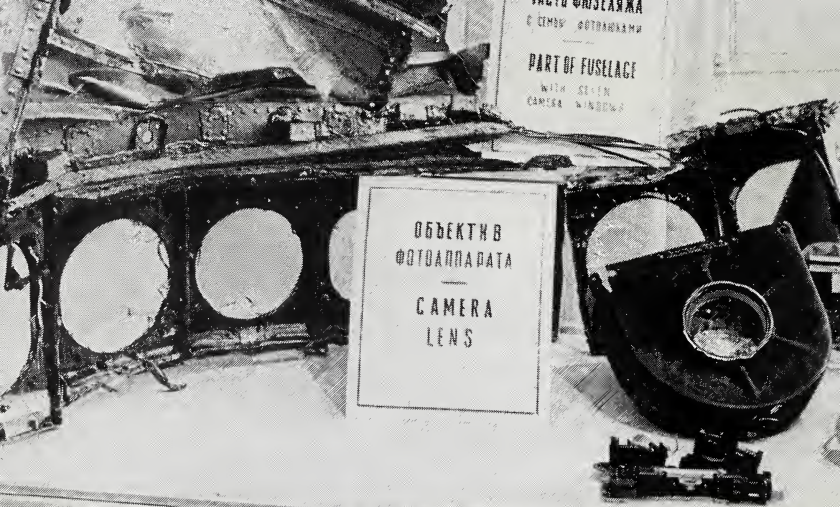


... AND SPY.

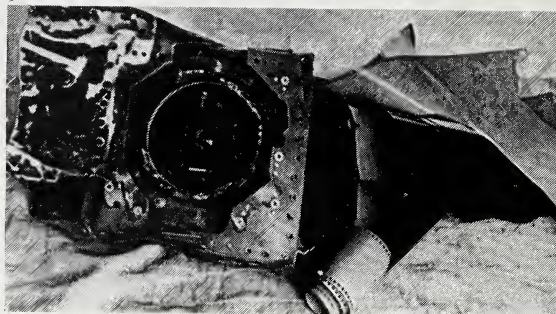
Above: The spy, Francis Powers, stands in the dock in Moscow, with his defence counsel, Mikhail Grinev seated before him.

Below: The scene in the Hall of Columns as the trial proceeds.





Spy-camera: Above, swinging lens and seven apertures made panoramic strips $9\frac{1}{2}'' \times 18''$ possible.



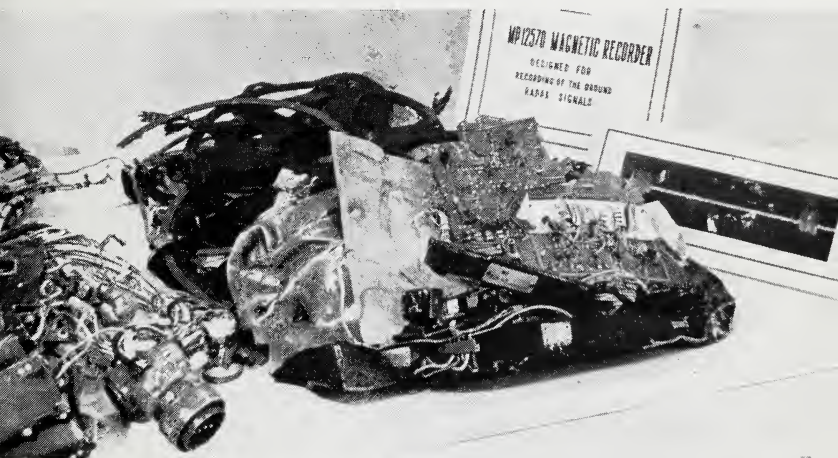
Centre: Astrocompass which gives bearings during photography.

Below: Further camera parts. Its lens was a telephoto of 36-inch focal length.



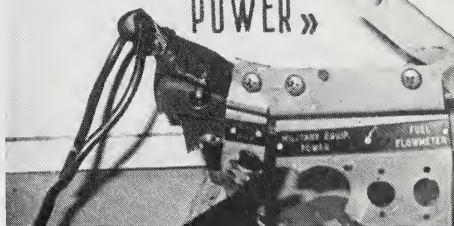


The air-to-air and air-to-ground intercom. system of the U-2.



Above: The tape recorder for recording radar signals, with, on the right, a photographic reproduction of such a signal.

A PART OF THE CONTROL PANEL
 LABELED «MILITARY EQUIPMENT
 POWER»



Right: Part of a control panel.

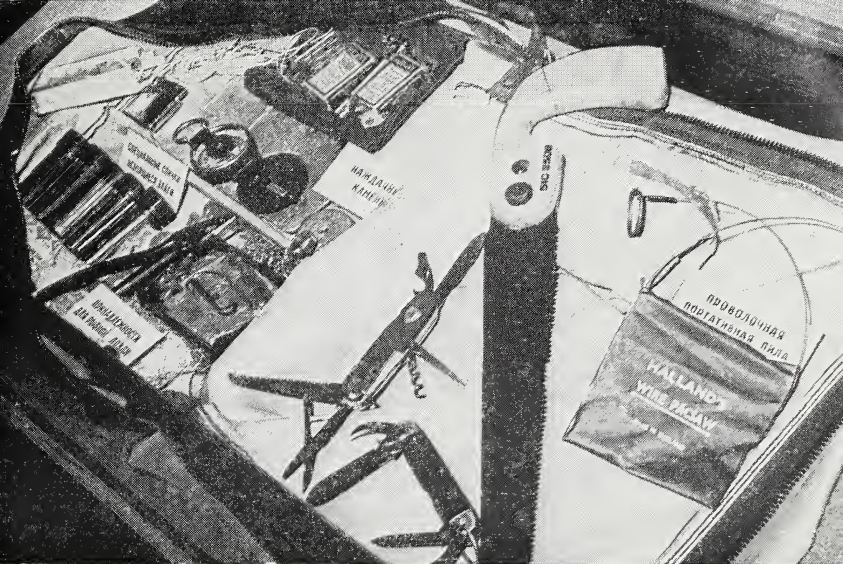
ДИАГНОЗНЫЕ ВОЛНЫ
 САНТИМЕТРОВАЯ, ДЕЦИМЕТРОВАЯ И МЕТРОВАЯ
 КЛЮЧЕИ КОДИРОВАННЫ
 ЛАБОРАТОРИЕЙ ХАУСА (МЭНЛО-ПАРК КАЛИФОРНИЯ)
 ХЬЮЛЕТТ-ПАККАРД №1 (ПАЛО-АЛЬТО, КАЛИФОРНИЯ)
 МИКРОЛАБ, ПЕНТЕДА, САНДВАНД
AIRBORNE RADIO-RECONNAISSANCE EQUIPMENT
 DESIGNED FOR RECONNAISSANCE
 OF THE GROUND RADARS
 WAVE BANDS: MICRO, DECI-METRIC AND METER
 MFG: HUGGINS LABS, MENLO PARK, CALIFORNIA,
 HEWLETT-PACKARD CO, PALO ALTO,
 CALIFORNIA, MICROLAB, PA PENNSYLVANIA



Radio reconnaissance set for monitoring ground radar

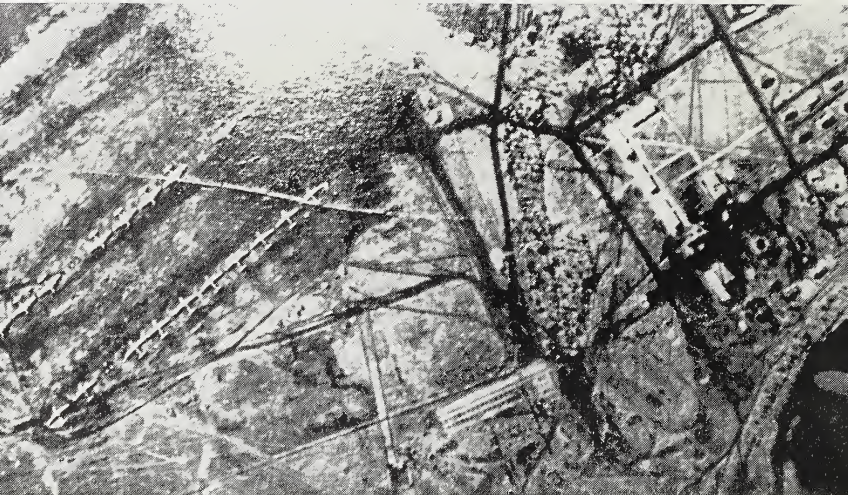


Right: N. S. Khrushchov visits the U-2 exhibition in Moscow.



A long way from "Made in England" (as one saw is labelled) to "Found in Sverdlovsk". Part of the overnight kit belonging to Powers, and including knives, saws, fishing tackle, and, below, an automatic .22 pistol with plenty of ammunition.





The film in the U-2's cameras was recovered intact and developed. The photograph above, taken from this film, shows the kind of picture the pilot was looking for—a Soviet military airfield seen from 12 miles up.

U-2 CHANNELIZATION

CHANNEL

1.	317.5	Combined Fixer
2.	257.8	Combined Tower
3.	385.4	Combined GCA Secondary Final
4.	344.0	Combined GCA Secondary Search
5.	362.3	Combined APC
6.	353.8	Combined ARTC
7.	261.6	Aviano APC
8.	270.4	Brindisi APC
9.	321.8	Jerry Control
10.	307.9	Moselle Control
11.	339.0	Local Control
12.	342.8	Rhein Control
13.	263.6	Rhein Control
14.	305.4	Incirlik Tower (Sec & DE)
15.	335.8	Incirlik GCA Primary Final
16.	378.8	Incirlik GCA Primary Search
17.		Yellow
18.		Gold
19.	344.0	Pilot to Forecaster
20.	243.0	Guard
21.	243.0	Emergency

This panel in the U-2 gives the radio wavelengths of the spy network, and includes Italy, Turkey and West Germany.

The investigation and study of documentary data conducted by the commission of experts, *he says*, make it possible to draw the conclusion that the American plane shot down in the area of Sverdlovsk on May 1st is a specially-equipped aerial reconnaissance plane which had the task of crossing through the entire territory of the Soviet Union from the Pamir area to the Kola Peninsula with the aim of reconnoitering military and industrial objectives, and important districts of the Soviet Union, by photographing them. The developed aerial films and the map control of the film established that the locality photographed from the plane with a long-focus camera is the territory of the Soviet Union. A greater part of the route from the district west of Tashkent and up to Sverdlovsk was photographed, in particular, airfields and certain other objectives information about which constitutes a state and military secret of the Soviet Union.

SPEECH FOR THE PROSECUTION

**By R. A. Rudenko, Procurator-General of the U.S.S.R.
at the Trial of Francis G. Powers**

COMRADES JUDGES! I begin my speech for the prosecution in the present case fully aware of its tremendous importance. The present trial of the American spy-pilot Powers exposes the crimes committed not only by the defendant Powers himself, but it completely unmasks the criminal aggressive actions of United States ruling circles, the actual inspirers and organisers of monstrous crimes directed against the peace and security of the peoples.

At this trial it has once again been shown that in the struggle against the forces of peace the reactionary forces of the United States have no scruples with regard to the means they use; they criminally trample underfoot elementary norms of international law, and violate the national sovereignty of other states in pursuing the bankrupt policy of "balancing on the brink of war".

But the peoples of the world remember full well the horrors of World War II. The Soviet people bore the brunt of Nazi aggression. In battles of unprecedented scale and ferocity they staunchly and courageously defended and upheld the honour, freedom and independence of their homeland, and saved the freedom-loving peoples from the terrible danger of Nazi enslavement. The world followed with admiration the struggle of the Soviet people and their armed forces, a struggle that history will never forget.

Firmly fixed in our memories are the towns and villages razed to the ground, the tears of wives, children and mothers, the unprecedented sufferings of millions and tens of millions of people who fell victim to fascist barbarism. We perpetuate the memory of all this in order never again to permit a repetition of the horrors of world war! And the firm resolution of the Soviet people, the Soviet Government and its head, N. S. Khrushchov, to prevent the danger of a new war reflects the will of all progressive mankind, of all the ordinary people all over the world.

The peace loving peoples of all countries follow with great satisfaction and unabating attention the Soviet Government's steps to relax international tension and eliminate the danger of a new war, to create conditions for the peaceful co-existence of states with different social systems.

The Soviet Union, consistently upholding the cause of peace, has

submitted to the United Nations Organisation a plan for general and complete disarmament, including the destruction of all means of rocket and nuclear warfare. The Soviet Government, ever true to its peace policy, has unilaterally reduced the Armed Forces of the Soviet Union by one-third.

The Soviet Union is successfully implementing the great Seven-Year Plan of peaceful construction. The Soviet people, the builders of a communist society, are engaged in peaceful creative labour and abhor war.

A different policy is pursued by ruling circles in the United States of America. These reactionary, aggressive circles have their military bases located on the territory of many N.A.T.O. countries, are constantly keeping aircraft carrying atom and hydrogen bombs in the air, are declaring their intention to resume underground nuclear weapons tests, have conspired with the revenge-seeking Adenauer government to arm the *Bundeswehr* with nuclear weapons, and are stubbornly opposing measures for universal disarmament and the destruction of rocket and nuclear weapons.

In their attempt to perpetuate the "policy of brinkmanship", United States ruling circles are taking the path of dangerous provocations.

The aggressive piratical raid made by defendant Powers on May 1st, 1960, was precisely such a dangerous provocation.

Comrades Judges, when the head of the Soviet Government made an announcement, from the rostrum of the U.S.S.R. Supreme Soviet Session, about the aggressive intrusion of the American military Lockheed U-2 aircraft into the air space of the Soviet Union, all the world was shocked by the perfidy of the leading statesmen of the United States.

The peoples of the world branded with infamy these provocative, perfidious acts by American ruling circles.

It is common knowledge that the announcement of the aggressive intrusion of the U-2 aircraft into Soviet air space was followed by a whole series of untrue, cynical and contradictory statements and assertions by leading United States Government officials. At first they tried to advance various "camouflage" and "cover-up" versions in order to conceal their true intentions from the world and avoid responsibility.

Exposed before all the world in their deliberate aggressive actions, U.S. President Eisenhower, Vice-President Nixon and Secretary of State Herter made official statements, unprecedented in the history of international relations, to the effect that violation of the sovereignty of the U.S.S.R. and aggressive flights over Soviet territory by American spy planes were carried out on the direct orders of the Government and of the United States President himself, and were the

calculated official policy of the United States.

Thus the mask of innocence behind which the United States Government tried futilely to avoid responsibility in face of American and world public opinion was torn off.

N. S. Khrushchov, Chairman of the U.S.S.R. Council of Ministers, addressing a preliminary meeting of the heads of government of the four powers in Paris on May 16th, 1960, declared, in an effort to prevent the wrecking of the Summit conference, that the Soviet Union, notwithstanding the provocative actions of the United States Government, considered it possible to take part in the conference provided the United States Government condemned the unparalleled provocation against the Soviet Union, apologised for it and punished those responsible.

President Eisenhower rejected the Soviet Union's just and legitimate demands. The United States Government thereby demonstrated to the whole world its real intention of using the provocative incursion of the U-2 aircraft into the Soviet air space as a pretext to wreck the Summit meeting, plunge the world again into the state of cold war, exacerbate tension in international relations and put a brake on the Great Powers' disarmament talks.

In this way the Summit conference was torpedoed by the United States Government.

This was so evident that even prominent U.S. statesmen had to admit that the Summit meeting had been wrecked by the United States Government. I will quote the already known statement by Fulbright, the Chairman of the Senate Foreign Relations Committee, on the results of an investigation into the events which led to the wrecking of the Summit meeting.

Fulbright said:

"It is perfectly clear that the U-2 incident and our handling of it were the immediate cause of the collapse of the conference. It is irrelevant in this connection to argue that Khrushchov came to Paris with a predetermined position to prevent the conference from taking place. The determining factor in reaching this position was the U-2 incident which had occurred two weeks before the conference."

Subsequent events showed what a dangerous, aggressive line was followed by the Government of the United States, which did not stop its provocative actions against the U.S.S.R. and which remained true to its "brinkmanship policy".

A great wave of indignation swept the world when it became known that new perfidious acts had been committed by the rulers of the United States who sent an RB-47 military reconnaissance bomber on a criminal provocative flight into the Soviet Union on July 1st, 1960.

And this happened after President Eisenhower's assurance, given in May 1960, that spy flights by American planes into Soviet air space would be stopped.

Comrades Judges, this trial has attracted the attention of millions of people throughout the world.

The case of the exposed American spy-pilot Francis Gary Powers aroused such a sharp and angry reaction on the part of the Soviet people and all peace-loving people because the exposure of an American intelligence agent, caught red-handed and shot down during an aggressive spy flight in the Sverdlovsk area on May 1st, 1960, was simultaneously an exposure of the reactionary ruling circles of the United States of America, which have made the national policy of their country a calculated policy of perfidy, provocations and espionage, a "policy of brinkmanship" in the interests of capitalist monopolies.

These reactionary imperialist circles, which have proclaimed the "deterrent policy" and the "positions of strength" policy to be the supreme political principles of the United States, the circles which organised the criminal aggressive intrusion of a military plane into the Soviet Union, have patently shown to what criminal methods, constituting a direct threat to peace and the whole of mankind, they resort.

In their significance and the grave consequences which they have already entailed, let alone those they could have entailed, the criminal actions of the accused Powers go far beyond an ordinary criminal act.

The correct assessment of these acts and the adoption of measures to prevent similar acts in the future is in the interest, not only of the Soviet Union, against whom the criminal encroachment was directly perpetrated, but of the whole of mankind.

The specific circumstances of this case, which were thoroughly examined during the preliminary investigation and in court, the entire course followed by Powers in his piratical flight over the territory of the U.S.S.R., cannot but lead any right-minded person who is striving to maintain peace on earth, to draw conclusions concerning the aggressive aims of the United States policy, the flouting of all universally recognised standards of international law by the American militarists and the criminal violation of the national sovereignty of other states.

That is why the task of this court, as I see it, cannot be limited to the establishment of facts concerning the acts with which the defendant Powers is being directly charged, and which he personally committed. Naturally, as in any criminal case, you, Comrades Judges, in strict accordance with the law must weigh all the available

evidence thoroughly, exhaustively and objectively in order to establish the truth and find an answer to the question—what crime do the actions of the defendant Powers constitute?

But the verdict in this case will have a bearing on more than just the personal fate of the defendant Powers.

The verdict of the court, based on the evidence of the preliminary investigation and the trial, will again convincingly expose before the whole world the criminal aggressive policy of the United States ruling circles.

There is no doubt that your verdict will play its role in the struggle of the forces of peace against the forces of aggression, a struggle which is spreading increasingly throughout our planet and on whose outcome the future of mankind depends.

The Circumstances of the Case

PERMIT me now to go over to a statement of the factual circumstances of the case, to an analysis of the abundant evidence which, taken together, is not only proof of the crimes committed by the defendant Powers, but at the same time exposes the organisers and inspirers of these crimes.

The criminal acts committed by the defendant Powers have been fully established by evidence that cannot be refuted or shaken.

The very fact that an American reconnaissance plane was shot down by Soviet rocket forces in the Sverdlovsk area on May 1st, 1960, and the very presence of the American spy-pilot Powers here in the dock in Moscow, is convincing and irrefutable evidence.

The charges against the defendant in this case are fully substantiated by abundant objective evidence. The defendant Powers himself realises this and does not therefore attempt to deny his guilt in respect of the crimes committed.

Comrades Judges, you are familiar with the depositions made by Powers during the preliminary investigation and the trial, when, in explaining the notes on his route maps, he described in detail the tasks assigned to him by the commander of espionage detachment "Ten-Ten", Colonel Shelton, of the United States Air Force, who indicated the points to which he was to pay special attention in order to obtain information about rocket bases and other Soviet defence installations of special importance.

It has been established that this detachment was based at the Incirlik air base in Turkey, and it was there that the defendant Powers served as a spy.

The aggressive bandit flight on May 1st, 1960, was the last in Powers' spy career which began way back in 1956 when he signed

a secret contract with the United States Central Intelligence Agency in Washington, the capital of the United States of America, and sold himself to the American intelligence service for 2,500 dollars a month. It was explained to Powers that it would be his duty to make reconnaissance flights along the frontiers of the Soviet Union, and also to carry out other special assignments. It was precisely from that time that Powers became a staff spy pilot, ready to commit any crime to further the interests of the American military who are in the service of monopoly capital.

You will remember, Comrades Judges, the statements made by the defendant Powers during the preliminary investigation and during this trial concerning his training for flights in U-2 aircraft at the secret Las Vegas atomic range in the Nevada desert, and his training in the use of special reconnaissance equipment. This training was directed by Colonel Perry, who later became the chief of detachment "Ten-Ten", Colonel Perkins and Major Cords, while the training of the recruited spy pilots in the piloting of U-2 reconnaissance aircraft was done by representatives and flyers of the Lockheed Corporation, which built the planes, and also by army pilots.

Here is a graphic example of criminal collusion between a big American capitalist company, an espionage centre and the United States military.

For purposes of secrecy, all the recruited pilots were given assumed names during training. Powers was known as Palmer.

In the fall of 1956, the personnel of espionage detachment "Ten-Ten" were transferred to the Incirlik American-Turkish air base near Adana in Turkey, where the formation of this detachment was completed and where its direct espionage work was to begin. From there Powers and other pilots of detachment "Ten-Ten" started making systematic reconnaissance flights along the Soviet Union's frontiers with Turkey, Iran and Afghanistan, and also in the Black Sea area using special reconnaissance equipment.

Powers testified that Colonel Perry informed the pilots of detachment "Ten-Ten" that they would also make flights over U.S.S.R. territory.

Further, Powers testified that from 1956 onwards a large number of flights for intelligence purposes were made along the borders of the Soviet Union. Powers said:

"I consider this to be the main work of our detachment. Each year I made several flights along the borders between the Soviet Union and Turkey, Iran and Afghanistan. In 1956-57, I made three or four flights over the Black Sea. In 1956, I made one or two flights. There were six or eight such flights in 1957, ten to fifteen in 1958, ten to fifteen in 1959, and for the first four

months of 1960 I made one or two flights.

"All these flights were along the southern border of the Soviet Union. Other pilots of the "Ten-Ten" detachment made flights for the same purposes. We would take off from Incirlik airdrome and would fly eastwards as far as the town of Van, situated on the lake of the same name. After that we would proceed to Teheran, the capital of Iran, and having passed it would fly eastward, south of the Caspian Sea.

"After that I usually flew to the south of Meshed, crossed the Iranian-Afghan frontier and further along the Afghan-Soviet frontier . . . not far from the eastern frontier of Pakistan a turn was made and we returned to the Incirlik airdrome taking the same route. Later we began making a turn earlier, after penetrating into Afghan territory for about two hundred miles."

Such is the testimony of defendant Powers on his espionage activity before the flight on May 1st, 1960.

Being arraigned for trial, Powers confessed that in conformity with a contract he had signed with the United States Central Intelligence Agency, he was a pilot of a special air detachment engaged in collecting information on radio stations and radar installation operating on the territory of the Soviet Union and also on missile sites.

Powers gave detailed testimony about the methods used to prepare spy pilots for a sudden special espionage assignment, for which purpose they were trained under what was known as the special programme of "alert flights".

Unquestionably the aggressive penetration deep into Soviet territory on May 1st, 1960 was planned by the American intelligence service long in advance, since as early as August, 1958, Powers received an assignment to transfer a U-2 aircraft from the Incirlik base to the Bodoe airfield in Norway, the very same airfield at which he was to end his May 1st flight.

Flying to that airfield Powers took the route: Athens—Brindisi (Italy)—Rome—Frankfurt-on-Main—Stavanger (Norway)—Bodoe.

There he was awaited by the new commander of the "Ten-Ten" detachment, Colonel Berly, who held this post up to 1959, with a large ground staff. From the Bodoe airfield pilots of the "Ten-Ten" detachment made several flights on U-2 aircraft.

Powers stated that from the Incirlik airfield he had flown to the American air base in the Wiesbaden area (West Germany) and from that air base piloted a U-2 to the United States Air Force air base at Plattsburg, New York State.

This shows once more that American U-2 spy planes were based on the territory of West Germany and made flights from that territory. The revenge-seeking Adenauer government, however, did not find

it necessary to lodge any protest in this connection with the United States Government, as other N.A.T.O. states did.

Furthermore, Chancellor Adenauer hastened to be the first to express approval of the criminal aggressive U-2 espionage flights. Naturally, nothing else could be expected from this successor to Hitler.

In carrying out espionage flights, Powers and his masters unscrupulously violated the sovereignty of other countries. U-2 planes flew over various countries whom the United States has involved in its aggressive expansionist policy and who make their air bases available for the landing and take-off of American military aircraft. With even greater arrogance Powers and other American air spies violated the sovereignty of neutral countries, in particular Afghanistan, taking advantage of their technical superiority for this purpose.

Thus Powers' career as a spy continued until April 27th, 1960, when the commander of the intelligence detachment, Colonel Shelton, called a conference of the personnel and ordered Powers, as well as another pilot and a large group of maintenance personnel to fly on the same day to the Peshawar air base in Pakistan. They flew there in a military transport plane, while the U-2 plane was flown there somewhat later.

Detailed testimony on this was given by the defendant Powers during the preliminary investigation and at the trial.

Early in the morning of May 1st, 1960, Powers was awakened, as many times before, while training on the "alert flight" schedule. This time, however, Powers was given a special mission for which he had been trained for several years. He was to make a reconnaissance flight over the territory of the Soviet Union to collect important information on military and industrial installations. The route of the flight lay from the Peshawar base in Pakistan, across the territory of Afghanistan and a considerable part of U.S.S.R. territory and was to end at the Bodoe base in Norway.

Allow me to turn directly to Powers' testimony. This is what he himself testified on this assignment, received from Colonel Shelton:

"In a few minutes the Colonel brought the maps and showed them to me. He told me that this was the route I was to fly. It was the route on the maps found in my plane. He told me that he had some information about some airfields and if I wanted to I could put the places on my map. I wanted to do so and did mark some of them. There was also a place where he said I might see a missile launching site. I also put that down. There was one place where he said he thought there was something but he did not know what. I also put this down.

"I was to follow," Powers testified, "the course of the route which was plotted on the map with red and blue pencils and to

turn on and off the controls of the equipment over the points indicated on the map.”

This is how Powers himself described the espionage assignments for collecting information on especially important defence and industrial installations of the Soviet Union which he received before the May 1st flight. But the instructions received by Powers and the means supplied to him to carry out the espionage assignment were not confined to that.

Powers testified further:

“ . . . the Colonel also said that just in case anything should happen, he was giving me some packages with Soviet money and gold coins. They were put into my flying suit pockets. He also had a silver dollar coin which he showed me which had a needle installed in it. He said that there was no danger because no U.S.S.R. aircraft or rocket could get to my altitude but in case something should happen and I was captured, the needle contained poison and if I was tortured and could not stand it I could use the needle to kill myself.”

Thus having bought Francis Powers with dollars, having made him an accomplice in its foul crimes, the American intelligence service considered in advance the possibility of the failure of its agent and, striving to avoid exposure, tried to convince him of the inevitability of suicide should he find himself alive on Soviet territory.

Here we have the bestial, misanthropic morality of Mr. Dulles and company which for the sake of that yellow devil, the dollar, disregards human life.

It should be mentioned that it was not only by supplying Powers with such a needle that the American intelligence service intended to wipe out the traces of the crime.

It has been proved by the testimony of Powers, the material evidence and experts' findings that the Lockheed U-2 aircraft in which Powers took off on his espionage flight was a special military reconnaissance plane and was equipped with a special device by means of which the pilot could blow it up in the event of a forced landing on the territory of the U.S.S.R. A blasting device was also fitted to the tape recorder resigned to record the signals of Soviet radar stations.

When Powers received his final orders and instructions he took off from Peshawar airfield, rose to an altitude of 20,000 metres and, having flown across Afghanistan, intruded into the airspace of the U.S.S.R.

Powers pleaded guilty to having flown over Soviet territory and points indicated to him for his flight, and to having switched on and off the corresponding controls of the special equipment installed in

his plane. Altogether there were five such controls. The entire reconnaissance equipment on board the plane functioned normally and faultlessly. Moreover, during the flight Powers conducted visual observations and plotted the results on the route chart.

It is known that the plane piloted by Powers crossed the state frontier of the U.S.S.R. at 5.36 a.m. Moscow time, south-east of Kirovabad, Tajik S.S.R., and from that moment, until it was shot down by Soviet rocket forces in the Sverdlovsk area, was continually tracked by Soviet anti-aircraft units. The whole nature of Powers' flight shows its provocative and aggressive aims. The pilot kept his aircraft at an altitude of 20,000 metres, that is at an altitude at which no civilian aircraft ever fly; the route passed over big industrial centres and important Soviet defence installations.

In view of the fact that this was a case of the deliberate invasion of Soviet airspace with hostile aggressive intent, the Soviet Government gave orders to shoot down the plane and at 8.53 a.m. Powers' plane was shot down with a rocket at an altitude of 20,000 metres in the Sverdlovsk area, that is at a distance of more than 2,000 kilometres from the place it crossed the Soviet frontier.

Powers testified that while flying in the Sverdlovsk area at an altitude of 68,000 feet, that is, more than 20,000 metres, he saw an orange flash and after that his plane began to lose altitude. During the flight he was pressed to the controls and could not use the catapulting device but raised the canopy, unfastened the straps and got out of the plane through the top. The parachute opened automatically.

Many people were direct eye-witnesses of the explosion at a great altitude after which the wreckage of the plane fell to earth and a parachute appeared in the sky.

Comrades Judges, those who took part in detaining the American spy have been interrogated in court and the testimony of these witnesses is still fresh in your memory.

These Soviet people, boundlessly devoted to their country, this time too, as always, displayed their vigilance and detained the spy-pilot Powers as he parachuted down, took away from him a noiseless pistol specially designed for foul murder, and rendered the spy harmless.

Here in court we have been told about this in detail by witnesses: Pyotr Yefremovich Asabin, an invalided veteran of the Soviet Air Force; Vladimir Pavlovich Surin and Leonid Alekseyevich Chuzhakin, car drivers, and Anatoly Fyodorovich Cheremisin, a Soviet worker. For bravery and courage displayed they have been decorated by the Government.

It was indeed an object lesson which showed Powers and his

masters that in the Soviet Union money and gold cannot save any spy from retribution, even one from the country over which the dollar holds undivided sway.

Comrades Judges, you will remember that the official statements made by the United States Department of State and United States officials have insisted firmly that the U-2 plane which was shot down was a civilian plane and that pilot Powers was an employee of the Lockheed Aircraft Corporation.

These statements were untrue.

The testimony of defendant Powers on the circumstances under which he was recruited for intelligence service prove that aggressive espionage flights over Soviet territory were organised and carried out under the immediate direction of the United States Central Intelligence Agency with the knowledge and sanction of the United States Government and President Eisenhower.

It is known that the United States Central Intelligence Agency, headed by the super-spy Allen Dulles, is directly subordinated to the President of the United States of America and is an agency for political and military espionage which heads the so-called "intelligence pool", a kind of spying combine which unites all branch intelligence agencies of the United States, including the Air Force Intelligence Service.

Individual parts and assemblies of the U-2 carried marks indicating that they were the property of the United States Defence Department.

All flights on U-2 aircraft were carried out from air force bases and under the direction of officers of the United States Air Force.

Defendant Powers testified that the "Ten-Ten" detachment was set up jointly by the Central Intelligence Agency and the United States Air Force and represented a combination of these two bodies.

In the "Ten-Ten" detachment Powers himself was issued with an identity card number AFI 288,068 with an emblem of the United States Defence Department and the inscription "Department of Defence. United States of America".

Among the documents belonging to Powers there was also a certificate issued by the United States National Aeronautics and Space Administration (N.A.S.A.). This document certified that Powers was fit for service as a pilot of N.A.S.A. planes. The certificate also entitled Powers to pilot military aircraft in conformity with special instructions of the United States Air Force and to land and take off on the territory of air force bases.

Concerning this document Powers testified:

"As I personally had nothing to do with N.A.S.A., I think this document was issued to me as a cover to conceal the true nature of the intelligence detachment 'Ten-Ten'."

Comrades Judges, you have seen these documents and they were presented here to the defendant Powers.

It is also known from Powers' testimony that detachment "Ten-Ten" was inspected in April, 1960 by none other than the Chief of Staff of the United States Air Force, General Thomas D. White, in whose honour a special reception was given. Detachment "Ten-Ten" was twice inspected by the Commander of the United States Air Force in Europe, General Everest.

Incidentally, not only high ranking officers of the United States Air Force but even certain Congressmen who, apparently, have special access to such espionage agencies, visited the "Ten-Ten" detachment at the Incirlik base.

Even Cardinal Spellman did not ignore the Incirlik air base and he also visited the "Ten-Ten" detachment.

What conclusion do I draw from an analysis of the above-mentioned data?

The material of this trial conclusively proves that notwithstanding all attempts by the American military to stage a kind of quick-change vaudeville with Allen Dulles as producer, the real nature of the "Ten-Ten" detachment in which defendant Powers served, and of other similar detachments, is sufficiently clear. The purposes and aims of this detachment's activity made it nothing but a military intelligence body.

There is no shadow of doubt that Powers' plane was a military aircraft specially fitted out and sent into the air space of the U.S.S.R. for aggressive espionage purposes and that Powers, according to the nature of his activity, continued to remain an army pilot discharging the duties of a military intelligence agent and spy. Powers himself admits that he was a civil pilot serving in the Air Force.

In fact this is nothing but an espionage hybrid—the offspring of the Central Intelligence Agency and the military intelligence of the United States Air Force covered by the N.A.S.A. fig leaf.

The espionage purposes of Powers' flight over Soviet territory have been confirmed by all the circumstances of the case, including the testimony of the defendant and considerable material evidence.

I must especially stress that the above-mentioned statements of leading United States Government officials, statements in which they admitted to all the world that espionage and violation of the sovereignty of other states is the official policy of the United States, in the light of the criminal case of Powers now under consideration, assume procedural significance and play the role of judicial evidence. This evidence, that is the personal statements of the above-mentioned Government leaders, establishes fully that the United States Government was the inspirer and organiser of the crimes committed by

defendant Powers and others of his ilk.

There is every reason to consider the aforesaid statements as indisputable evidence in the present case.

Material Evidence

COMRADES JUDGES, fulfilling my duties of state prosecutor, I deem it necessary to speak about the numerous items of material evidence in this case.

As a result of the examination of this material evidence, its careful study by experts in most diverse fields, the state prosecution is in possession of objective, irrefutable data, proving with new force the indictment preferred against defendant Powers, and the deliberate, aggressive nature and espionage purpose of his criminal mission.

The material evidence was exhibited in public; 320,000 Soviet people and over 20,000 foreigners were able to see for themselves these clear proofs which expose the aggressive policy of the United States ruling circles which organised Powers' piratical flight.

Parts and assemblies of the plane were found scattered over an area of some 20 square kilometres where the Lockheed U-2 aircraft fell; they included: the forepart of the fuselage with the central wing and the flier's cockpit with its equipment; a turbojet engine; the tail of the fuselage with the keel, etc. These fragments and assemblies were parts of a one-seater high-altitude subsonic intelligence plane of the U-2 type built by the American Lockheed Company.

Investigation of individual parts and units has shown that numerous United States' companies took part in the building of the U-2 spy-plane and that certain parts and equipment are the property of the United States Government.

The plane's turbojet engine was manufactured by Pratt-Whitney, as is shown by the firm's trade mark. The radio-reconnaissance equipment was manufactured by Hewlett-Packard and the Huggins Laboratory (Menlo Park, California). This equipment and certain other units have markings showing that they belong to the United States Defence Department.

This is especially important as refutation of the false claim that the U-2 plane was a civilian and not a military aircraft.

The instrumentation, communications, electrical and radar equipment, are also manufactured by different American companies, which is confirmed by the respective trade-marks and labels.

The plane has a special remote-controlled destructor unit manufactured by Beckman and Whitley Inc. (Model 175-10A).

Investigation of the special charts, films and other materials, as

well as the conclusions of experts, testify to the fact that the U-2 aircraft made a deliberate espionage reconnaissance flight that had been prepared beforehand.

This is confirmed by the discovery of a specially coded chart with the route of the plane's flight from the Pakistan area (Peshawar Airport) in a north-westerly direction, over the Tajik, Uzbek, and Kazakh Union Republics, the South Urals to Sverdlovsk with a turn towards Kirov, and then a turn in the White Sea area, crossing the eastern part of the Kola Peninsula and along its northern coast-line into Norwegian territory.

Analysis of the flight chart shows that from Peshawar Airport to the Sverdlovsk area the plane flew according to the plotted course. This is confirmed by the photographs of stretches of the territory flown over, the course plotted, and the actual position of the plane with an indication of the time made by hand in red and blue pencil on the flight chart. There are also marks made beforehand on the chart with regard to switching the main assemblies and apparatus of the aircraft on and off during the flight over Soviet territory.

The material evidence establishes irrefutably that the flight of the American plane over Soviet territory was deliberate and planned in advance. The conclusions of the experts show that the chart with the route of the flight and navigation calculations was prepared on the ground before the take-off. While airborne, the pilot knew his position, systematically checked the flight over the landmarks indicated on the chart and kept strictly to the pre-determined route. During his flight over the territory of the Soviet Union the pilot plotted on the map information of a reconnaissance nature.

Of especial interest as evidence proving the espionage purpose of the U-2 flight is the aircraft's photo-equipment and the results of the photo-reconnaissance carried out by the defendant Powers during his flight over Soviet territory.

Technical experts established that the aerial camera model 73-B installed on the U-2 aircraft is a special reconnaissance camera designed for photographing strips of terrain from the air at high altitudes.

The aerial film used in the aerial camera is a special type of photographic material, designed for the aerial reconnaissance of military and topographical objects while flying at high altitudes. The pilot photographed the territory of the Soviet Union for the purposes of espionage.

Examination of the developed aerial film and orientation of the prints made it possible to establish that the territory photographed was that of the Soviet Union.

The aerial photographs contain intelligence information on U.S.S.R.

industrial and military installations.

The experts examined the tape recorder with a ferro-magnetic tape and the optical instrument found in the area of the fall of the plane, which were in their turn important material evidence of the espionage purposes of the U-2 flight.

An examination of the tape recorder established that it had a special demolition device for its own destruction.

Expert examination established that a part of the magnetic tape was in perfectly good condition.

On decoding the tape it was established that the signals recorded belonged to ground radar stations of the radar anti-aircraft defence system of the Soviet Union.

The tape recorder was part of the radio-technical intelligence equipment mounted on the U-2 aircraft.

The experts established that the U-2 aircraft was fitted with special counter-radar equipment designed to jam radar stations for interception and guidance of fighter planes.

Beyond doubt equipment of such kind is installed on enemy planes that intrude into the territory of another country for aggressive purposes.

Experts examined the combined receiver and transmitter found on the plane which represents an American serial-built command station designed for short range air-to-ground and air-to-air communications.

The absence of equipment for long-range radio communication on the U-2 aircraft is further evidence that the organisers of the aggressive incursion took measures to conceal the piratical flight of the U-2 aircraft and prevent its possible detection over the territory of the U.S.S.R.

Comrades Judges, I have already mentioned that the U-2 aircraft was equipped with a special demolition device ensuring the destruction of the plane in the event of a forced landing on U.S.S.R. territory.

It has been established by examination that the remote control of the destructor unit was installed in the cockpit. The electrical control panel, among other inscriptions, has one which reads: "explosion". The pilot was therefore fully aware of the existence of a special demolition device on his aircraft and of operating it.

The destruction unit found among the wreckage of the U-2 aircraft represents important material evidence of the aggressive espionage purposes of the flight.

I have already mentioned in my speech the poison needle which was found on the defendant Powers.

If the assignments received by Powers had not been of a criminal nature, his masters would not have supplied him with a lethal needle.

Inspection and forensic-toxicological examination of the needle

taken from the defendant Powers established that it was smeared with a substance which, judging by its action upon animals, toxic doses, and physical properties belongs to the curare group—the most potent and fast-acting of all known poisons.

Considering its extremely high toxicity, the experts' conclusion was that a prick from this needle would kill a person instantaneously.

It has been established by the examination of the noiseless pistol taken from Powers that it is a semi-automatic ten-rounds pistol of the latest model designed to shoot at moving targets. Along with the pistol there were found 205 cartridges for it.

Comrades Judges, analysing all these data I have arrived at the conclusion that this case offers a combination of material evidence—these mute witnesses—which irrefutably and objectively establishes to the full the crimes committed by the defendant Powers, completely exposes the inspirers and organisers of these crimes and provides justice with incriminating evidence of great convincing force.

An Act of Aggression Against the Soviet Union

COMRADES JUDGES, in assessing the gravity of the crimes committed by Powers we cannot forget even for a minute that he personally carried out such especially dangerous criminal assignments which directly endangered universal peace and might have brought a terrible disaster upon humanity.

The aggressive premeditated nature of the flight of the plane piloted by Powers was perfectly obvious from the very moment he crossed the border of the Soviet Union and intruded deep into Soviet territory, flying at a tremendous altitude over important defence and industrial installations. Naturally, from the ground no one could tell whether or not this hostile plane, which unceremoniously and arrogantly intruded into Soviet air space, was carrying a deadly load.

It is, therefore, absolutely obvious that under present circumstances, when certain states possess nuclear weapons and means of delivering them to targets at almost lightening speed, the aggressive act undertaken by the United States of America on May 1st, 1960, against the Soviet Union, may be classed as a crime that endangers the security of all mankind and could have the gravest of consequences to all the world.

The present case exposes the criminal flouting of universally recognised standards of international law by American ruling circles.

In this connection it seems to me that it is necessary to consider in the speech for the prosecution some points of international law which directly bear on the crimes committed by the defendant Powers and his masters.

An indisputable principle of international law, never challenged by anyone, is the principle of full and exclusive sovereignty of a state over its territory, including the entire air space above it. This principle is embodied in a number of international conventions and in the national legislation of nearly all states, including the United States of America and the Soviet Union.

The Soviet Government has repeatedly protested against unlawful violations of Soviet air space by American aircraft and warned the United States Government of its responsibility for the very grave consequences that might arise out of such violations.

The United States Government, however, did not react to these protests and, true to itself, continued its policy of cold war and of the gross violation of the sovereignty of other states.

It is known that the Soviet Government protested against the violation of the air space of the U.S.S.R. by American military aircraft in its Note of July 10th, 1956, addressed to the United States Government. In a letter of July 12th, of the same year, the permanent Soviet representative at the United Nations informed the Security Council of these facts.

In its reply Note of July 19th, 1956, the United States Government hypocritically denied the facts of violation of the air space of the U.S.S.R. by American military aircraft and claimed that the statement of the Soviet Government was erroneous.

The United States leaders adopted a similar double-faced attitude in all such cases until, on May 1st, 1960, they were caught in the act and had to admit to criminal intrusions into Soviet air space which up to then they had brazenly denied.

In his appraisal of the criminal aggressive incursion by the American U-2 aircraft into the U.S.S.R., N. S. Khrushchov stated with full justification:

“Unheard-of and unprecedented are the actions directed against the sovereignty of the Soviet state, while the principle of sovereignty is a sacred and immutable principle of international relations.”

This principle was embodied in the convention for the regulation of aerial navigation signed in Paris on October, 13th, 1919.

Article 1 of that convention reads:

“Every power has complete and exclusive sovereignty over the air space above its territory.”

This principle is reaffirmed in the International (Pan-American) Convention on Air Commerce signed in Havana on February 20th, 1928, in the Convention on International Civil Aviation signed at Chicago on December 7th, 1944, and in a number of bilateral agreements between states.

The above formula has been fully incorporated in the domestic legislation of practically all states.

In particular, clause 176 of the Air Commerce Act of the United States Congress of 1926 establishes that the United States of America possesses and exercises full and exclusive sovereignty over the air space above the United States.

The same principle is established by the United States Civil Aeronautics Act of 1938.

Article 1 of the Air Code of the U.S.S.R. of 1935 establishes that "the U.S.S.R. exercises complete and exclusive sovereignty over the air space of the U.S.S.R."

It is common knowledge, however, that this is not the first time that international law has been dealt with unceremoniously in the United States of America. American theoreticians have even established a special concept of "American international law". C. Hyde, an American authority on international law chose this title for his major work: *"International Law, Chiefly as Interpreted and Applied by the United States."* (Publishing House of Foreign Literature, Moscow, 1951.)

However, the principle of complete and exclusive sovereignty of a state over the air space above its territory is so unquestionable that it was unconditionally recognised even by "American international law".

This is what the aforementioned Hyde wrote, summing up the results of an examination of all conventions and laws pertaining to this question: "The evidence is abundant that states have reached a degree of unanimity in their assertion of the right of control over the air space above their territories which suffices to warrant the conclusion that that right is to be regarded as exemplifying a principle of international law." (*Paragraph 191 C, page 366.*)

American Senator Fulbright declared in this connection: "The Head of State embodies in his person the sovereignty and dignity of his country. It is totally unacceptable for one Head of State to impinge upon the sovereignty of another, and much less so for him to assert the right to do so."⁹

Any other solution to this problem is unthinkable. To any reasonable person, and not only to specialists in international law, it is clear that the principle of the national sovereignty and supremacy of a state over the air space above its territory, in the same way as the principle of national sovereignty in general, is the foundation of normal relations between states in time of peace. This does not give rise to any doubt.

It is interesting to note also how the science of international law

⁹ Re-translated from Russian.

solves the question of the conduct of guilty states in cases similar to the aggressive invasion by the U-2 aircraft.

The British Professor, L. Oppenheim, in his treatise on international law (Publishing House of Foreign Literature, Moscow, 1948), points out in this connection that in the event of administrative officials, or the military or naval forces of a state, allowing internationally injurious acts, "a state has, first of all, to disown and disapprove of such acts by expressing its regret or even apologising to the government of the injured state; secondly, damages must be paid where required; and, lastly, the offenders must be punished according to the merits of the special case" (pages 332-333).

It goes without saying, however, that anyone who elevates crime to the level of calculated state policy, deliberately takes the risk of being caught in the act, and recognises the "positions of strength" policy as the supreme principle of state policy—that person will without compunction disregard the universally accepted international practices as embodied in the high principles of international law, and substitute lawlessness and arbitrariness for law and right.

In its Note to the United States Government of May 16th, 1960, the Soviet Government stated with the utmost clarity that the unscrupulous violation of the frontiers of another state, be it on land, water, or in the air, can be regarded as nothing other than an act of aggression, and that an attempt to vindicate and "legalise" such acts constitutes nothing but the preaching of aggression, a policy that disregards the elementary standards of international law and order and the principles of the United Nations Charter.

The unlawful incursions of American military planes into the air space of the U.S.S.R. planned by the American intelligence service by order of the United States Government, and specifically the incursion of the Lockheed U-2 aircraft piloted by Powers on May 1st of this year not only constituted a criminal violation of the sovereignty of the U.S.S.R. but were also acts of aggression. These piratical acts reflect the established United States policy of "balancing on the brink of war" pursued for many years by former State Secretary John Foster Dulles and kept tirelessly at boiling point by Pentagon warmongers.

In his book *War or Peace?* Dulles wrote:

"If at any time in the near future it seems that the danger of war has passed, that will be a period of great peril." (American Edition, 1950, page 267.)

Dulles's conception is apparently still the foundation of United States foreign policy.

It seems to me that it is essential to consider whether the incursion by a single plane into the air space of another country constitutes an act of aggression. There is every ground for the conclusion that an incursion by a foreign plane, such as that of the U-2 spy plane, un-

questionably constitutes an act of aggression.

Beyond doubt in modern conditions the invasion of the air space of any state, even by a single plane, is fraught with disastrous consequences.

The experience of World War II shows that flights by reconnaissance planes usually preceded air attacks. But if this was so during World War II, in present-day conditions the appearance of such scouts is fraught with a much greater danger.

It is well known—responsible military leaders of the United States have on more than one occasion announced this for all to hear—that the United States of America is constantly keeping in the air patrol bomber squadrons carrying a load of atomic and hydrogen bombs.

Thus the appearance even of a single reconnaissance plane over Soviet territory can always be the forerunner of an attack from the air. But even if squadrons of bombers do not follow right after the reconnaissance plane, the flight of such a plane, the aerial photographs it takes and the reconnoitering of the anti-aircraft radar installations of the U.S.S.R. constitute the component elements of air attack.

The American *Des Moines Register* wrote with perfect justice:

“Let us assume that the man in charge of the Russian air detection system had interpreted pilot Powers’ flight as an attack and had pushed the button for a retaliatory blow... in a few hours those who survived would have found themselves in an inferno. When will we at last realise that espionage, counter-espionage and all such idiocy belong to the dead past.” [*Translated from the Russian.*]

Leading U.S. statesmen are prone to use their allegedly peaceable intentions as a cover for their criminal aggressive acts.

But everybody knows what the sincerity of such statements amounts to. The road to hell, we know, is paved with such “good intentions”.

The words pronounced by President Eisenhower at the final meeting of the Conference of Heads of Government of the Four Powers in Geneva five years ago, on July 23rd, 1955, now sound like blasphemy. He said then:

“I came to Geneva because I believe mankind longs for freedom from war and rumours of war. I came here because of my lasting faith in the decent instincts and good sense of the people who populate this world of ours. I shall return home with these convictions unshaken, and with the prayer that the hope of mankind will one day be realised.”

These solemn words were pronounced at a time when President Eisenhower’s administration, from the very beginning of its activities, was implementing the programme of military espionage and criminal violation of the sovereignty of other states approved by him.

Comrades Judges, the statements of the President, Vice-President

and Secretary of State of the United States of America which I have mentioned, stressed that the U-2 flight on May 1st, 1960, and other cases of the incursion of American planes into the air space of the U.S.S.R. which took place earlier, had no aggressive aims but represented defensive measures.

American aggressors, these newly-baked imitators of Hitler, have attempted to vindicate their provocative policy by alleging that they were conducting it for the purpose of averting the so-called "danger of a communist menace". But this argument, if such it may be called, is not new; it bears a striking resemblance to that used by the Hitlerites and Japanese militarists.

It is well known that at the Tokyo trial, Japanese war criminals attempted to justify their aggressive actions as defensive measures. The International Military Tribunal in Tokyo which tried the chief Japanese war criminals said in its verdict that.

"...the leaders of Japan have always tried to justify their aggressive military ventures by calling them defensive." (*International Trial of Chief Japanese War Criminals*, Publishing House of the U.S.S.R. Academy of Sciences, 1950, p. 236.)

It is well known that the attempts of the Hitlerites to justify their aggressive policy against the U.S.S.R. by the "danger of a communist menace" were fully exposed by the International Military Tribunal in Nuremberg.

The United States prosecutor, Jackson, stated in his final speech at the trial of the chief German war criminals:

"Some of the defendants say that the wars were not aggressive and their purpose was to protect Germany against a new possible danger—'the communist menace' which with many Nazis was a kind of *idée fixe*.

"This argument of self-defence collapses right from the start..." (*Materials of the Nuremberg Trial*, vol. 2, p. 112, Russ. ed.)

Statesmen of the United States now seek to revive the *idée fixe* of a "communist menace" which has been refuted by many years of history and proved an utter failure.

Comrades Judges, I deem it necessary to dwell on another important question which is of interest from the viewpoint of international criminal law.

The Powers case which you are examining involves a peculiar case of international complicity. As has been established at the preliminary and court investigation, the aggressive spy flights by American planes over Soviet territory, especially Powers' flight in the U-2 aircraft, could not have taken place if states contiguous to the Soviet Union, in this case Turkey, Parkistan and Norway, had not made their territory available to the American military.

The flying range of the U-2 would not have allowed it to operate directly from United States territory. This plane, like the entire "Ten-Ten" espionage detachment, was stationed at the Incirlik airbase in Turkey. Powers' plane took off on its piratical flight from the Peshawar base in Pakistan. He was to have completed his flight and landed at the Norwegian Bodoe base.

The defendant Powers testified that when U-2 planes made intelligence flights along the Soviet frontiers, Meshed and Teheran (Iran) were indicated as reserve airfields. On his May 1st flight Powers could use as a reserve any airfield in Norway, Pakistan and Iran. He could also land at the Sodankyla airfield (Finland). However, Colonel Shelton warned him that this was a poor airfield and should be used only in case of utmost necessity but it would at any rate be better than landing somewhere on Soviet territory. Shelton added that it would be better to land in Sweden or in Norway, but preferably in Norway.

If all these circumstances are assessed in conformity with the theory of complicity, those who organised and inspired this crime and also those who, as accomplices, obviously facilitated the commission of the crime by making means available and removing obstacles, should be regarded as accomplices in Powers' crime.

The Soviet Government has more than once warned the governments of countries linked with the United States by military blocs of the danger the installation of United States military bases on their territory creates for those countries.

This trial graphically shows how well-founded were the Soviet Government's warnings.

This trial reveals completely the aggressive, misanthropic policy of the United States ruling circles and military who, in pursuance of their foul aims, do not hesitate to flout the sacred principles of international law in order to continue their dangerous "brinkmanship policy".

But the peace-loving people throughout the world now know no more acute and pressing problems than that of maintaining peace on earth and averting the threat of another disastrous war.

The balance of forces in the world today is such that the champions of peace, all people of good will, all peace-loving mankind, can curb the aggressors and in a united effort give a powerful rebuff to the sinister forces of aggression.

Legal Definition of the Crime

COMRADES JUDGES, I am now passing over to a juridical assessment of the acts with which the defendant Powers is charged.

According to the indictment the defendant Powers, having been recruited by the United States Central Intelligence Agency in 1956, is accused of intensive espionage activity against the Soviet Union, which

is an expression of the aggressive policy pursued by the United States Government.

On May 1st, 1960, he, Powers, invaded the air space of the U.S.S.R. in a specially equipped Lockheed U-2 reconnaissance aircraft with the knowledge of the United States Government and under instructions from the American intelligence service which is implementing the aforementioned aggressive policy, with a view to gathering strategic information on the location of missile bases, airfields, radar facilities, and other important Soviet defence and industrial installations, that is, information which represents the state and military secret of the Soviet Union.

Having flown over 2,000 kilometres deep into the Soviet Union, he photographed with special equipment a number of the above-mentioned installations, tape-recorded the signals of radar stations and collected other information of espionage character.

The crime committed by the defendant Powers comes under Article 2 of the Law of the Soviet Union "On Criminal Responsibility for State Crimes".

Each point in the formulation of the indictment has been fully established by all the evidence available in the case.

According to Article 2 of the aforesaid law, espionage is qualified as "the appropriation or collection of information which represents a state or military secret with the object of handing it over to a foreign state, a foreign intelligence service, or their agents, and also the transmission or collection of other information on the assignment of a foreign intelligence service to be used to the detriment of the interests of the U.S.S.R."

As State Prosecutor I have no doubt whatever that all attributes of this crime are present in the actions of the defendant Powers. The fact of the appropriation or collection by Powers of information which represents a state or military secret has been irrefutably established. There is no need to dwell specifically on whether the information on Soviet military and industrial establishments, airfields, radar facilities, etc., which Powers collected during his aggressive flight over the territory of the U.S.S.R. on May 1st, 1960, represents a state or military secret. Such information in every country is regarded as a specially guarded state and military secret.

Nor is there any doubt that Powers collected this information with the object of handing it over to a foreign state, for all these circumstances have been established with exhaustive fullness and clarity at the preliminary and the court investigation, and the defendant Powers himself does not deny that he collected this information in accordance with a direct assignment of the American intelligence service, which was acting in conformity with the programme sanctioned by the United States Government.

Another element of the crime envisaged by Article 2 of the aforementioned law is also present, that is, the commission of the crime by a foreign subject.

It has been fully proved that, from the viewpoint of the criminal legislation of the Soviet Union, Powers is guilty of espionage. But I should like to emphasise that under United States legislation the actions of the defendant Powers, had they been committed in the United States of America and directed against the United States, would also have been regarded as espionage and entailed severe punishment.

I am referring to the United States Code issued in 1958 (published in Washington in 1959; *Vol. 4, Sect. 18, Chap. 37*, headed *Espionage and Censorship*).

United States legislation envisages that criminal responsibility for espionage is borne by any person who enters, penetrates, flies over or by any other means obtains defence information which might be used to the prejudice of the United States or to the benefit of any other power.

This legislation establishes a long list of espionage objectives. Among them there are, for instance, docks, canals, railway lines, factories, mines, buildings, institutions, scientific research laboratories, and so on and so forth. Listed as espionage objectives are any sketches, photos, photo negatives, drawings, plans, maps, models, records or notices about anything connected with national defence.

That is how scrupulously United States legislation envisages criminal responsibility for the slightest encroachment on the security of its country. Establishing such strict procedure in their own country, why do United States ruling circles not want to consider the procedure established by other states, why do they deliberately and uncereemoniously undertake the crude violation of laws issued by other states with the object of ensuring their security?

The defendant Powers perpetrated a grave crime against our country and he must be condemned with the full rigour of the law of the Soviet state, as he would be in any other country.

Comrades Judges, to conclude my speech for the prosecution, I must return once more to the question of those most grave consequences for peace and mankind, in which Powers' criminal actions might have resulted. At the time when Powers' plane crossed the state frontier of the U.S.S.R. and intruded into the air space over our territory, nobody could have known what further aggressive actions it portended and what death-dealing load it carried.

The defendant Powers, for whose crimes the American intelligence service paid so generously, is not an ordinary spy, but a specially and carefully trained criminal. All Powers' actions show that he is by no means a weak-willed and blind tool, a robot in the hands of the

American Intelligence Agency and the Pentagon, whom they used for espionage, subversive activities and aggression. He is a dangerous criminal. He cannot plead that he was forced to carry out the order because he voluntarily sold his honour and his conscience, he sold himself for dollars, and undertook to carry out any criminal acts, that is, he acted from mercenary and base motives. He did not commit his crimes merely by a method which, as the law says when defining circumstances aggravating responsibility, was to the common danger, but by a method fraught with danger for millions and millions of people. He consciously committed a crime with consequences of a gravity which cannot be measured by the scale which we are accustomed to apply in determining the gravity of a crime.

Such is the true face of the defendant Powers. And had his masters tried to unleash a new world war, it is precisely these Powers, reared and bred by them in the conditions of the so-called free world, who would have been ready to be the first to drop atom and hydrogen bombs on peaceful lands, as similar Powers did when they dropped the first atom bombs on the peaceful citizens of the defenceless cities of Hiroshima and Nagasaki.

Comrades Judges, the aggressive espionage flight begun, by orders of the ruling circles of the United States by the defendant Francis Gary Powers in the U-2 aircraft on the early morning of May 1st, 1960, from the air base at Peshawar, was stopped when hit by a well-aimed Soviet rocket. And the hour when the criminal is to hear the sentence of the court is near.

Let your sentence serve as a strict warning to all those who pursue an aggressive policy, criminally trample underfoot the generally recognised standards of international law and the sovereignty of states, and declare their state policy to be one of cold war and espionage. Let this sentence also be a strict warning to all other Powers who, by orders of their masters, might try to undermine the cause of peace, to encroach upon the honour, dignity and inviolability of the great Soviet Union.

Comrades Judges, in full support of the state indictment against Powers, in accordance with Article 2 of the Law of the U.S.S.R. "On Criminal Responsibility for State Crimes", I have every reason to ask the court to pronounce the supreme penalty on the defendant Powers. But, taking into account the defendant Powers' sincere repentance, before the Soviet court, of the crime which he committed, I do not insist on the death sentence being passed on him, and ask the court to sentence the defendant Powers to 15 years' imprisonment.

SPEECH FOR THE DEFENCE

By M. I. Grinev, Counsel for the Defence

COMRADE PRESIDENT, Comrades People's Assessors of the Military Collegium of the Supreme Court of the Soviet Union, I shall not conceal from you the exceptionally difficult, unusually complicated position in which the counsel for defence finds himself in this case.

Indeed, defendant Powers is accused of a grave crime—intrusion into the air space of the Soviet Union for the purpose of collecting espionage information and photographing from the air industrial and defence installations and also of collecting other intelligence data.

The defence is further complicated by the demand of the State Prosecutor which was met with approval by representatives of the Soviet public present here in the court-room.

The Constitution of the Soviet Union, which, irrespective of the gravity of a crime ensures every accused the right to defence, makes it our civil and professional duty to render help in exercising this right to those defendants who wish to avail themselves of this right to defence.

It is known that the Soviet procedural code not only grants the right to defence but also provides for broad practical opportunities to exercise this right. At a trial the defendant and his defence counsel have the same rights as the prosecutor to submit and examine evidence, and to petition the court. The only difference between the procedural duties of the prosecutor and the counsel for defence, also aimed at ensuring the defendant's right to defence, is as follows: If, as a result of the court hearing, the Procurator arrives at the conclusion that the investigation by the court has not corroborated the charge preferred against the defendant, he, in accordance with Article 40 of the Fundamentals of Criminal Procedure of the Soviet Union, must withdraw the charges. No such right is granted to the counsel for defence.

On the contrary, Article 23 of the same Fundamentals categorically prohibits the counsel for defence from refusing the defence he has undertaken.

Consequently, regardless of what crime the defendant has committed and irrespective of the indignation it has caused among the Soviet public, it is the duty of the counsel for defence to discharge his professional duty in good faith and to submit for the consideration of the court everything that can favourably affect the destiny of the defendant.

You, Comrades Judges, before passing a final judgement in this case, before determining the degree of guilt of defendant Powers and his punishment, must weigh thoroughly and without prejudice all the circumstances taken together, without an analysis of which it is impossible to return a just verdict.

In view of this, I shall try to collect grain by grain and submit to you all the arguments which give me the right to ask, and you, Comrades Judges, perhaps to satisfy my request and deviate from the demand voiced here by the State Prosecutor with regard to my defendant Powers.

Therefore, I begin with the hope that you will consider my arguments and take them into account in passing the sentence. Comrades Judges, at the preliminary investigation and later at the judicial investigation the accused Powers fully pleaded guilty to the charges preferred against him.

That is why I deem it necessary first of all to declare that the defence challenges neither the facts of the charges preferred against Powers nor the assessment of the crime given by the State Prosecutor.

Thanks to Powers' confession, a confession, moreover, corroborated by objective evidence in this case, it is beyond doubt that the man in the dock is indeed guilty of the crime and that the crime itself has been committed as set forth in the indictment.

And if you only had to establish the link between the crime and the criminal, your task would have been accomplished and you might have already regarded your work as completed.

However, it is your duty not only to establish the fact of the crime and the substantiation of the charges preferred against the defendant, but also to ascertain all the circumstances attending this crime.

That is why, investigating the case, you did not confine yourselves to ascertaining the fact only, but most thoroughly and objectively established the circumstances attending Powers' crime, studied the motives which guided him, and in doing so took a profound interest in his past and did everything to understand Powers' attitude to the crime he committed and his role in this crime.

You did so in full conformity with our Soviet law which obligates you, in determining the degree of punishment, to take into consideration all the circumstances of the case, the personality of the defendant and, of course, his testimony at the trial.

From this it follows, above all, that in deciding the fate of Powers it will be important to what extent you will be convinced of the truthfulness of his testimony.

There is not the slightest doubt that such a competent judicial body as you are has more than enough experience and wisdom to distinguish between truth and falsehood.

That is why I can expect with full confidence that you will accept

the testimony of Powers you have heard here as truthful.

Comrades Judges, the public significance of this case is quite obvious. Hence it is not accidental that it has drawn attention both inside our country and far beyond its frontiers.

I shall be right if I say that the Powers case is of international importance, inasmuch as besides Powers, one of the perpetrators of a perfidious and aggressive act against the Soviet Union, there should sit and invisibly be present here, in the prisoner's dock, his masters, namely, the Central Intelligence Agency headed by Allen Dulles and the American military and with them all those sinister aggressive forces which strive to unleash another world war.

Therefore, as the defence counsel for Powers, I urge you, Comrades Judges, to pay attention to this circumstance which, I feel confident, will be of substantial importance in determining the punishment of Powers.

The clumsy attempts of the United States' leaders to vindicate the unprecedented provocation they staged against the Soviet Union are so fresh in our mind.

Everyone remembers how different versions, one after another, were launched by United States ruling circles and were immediately blasted by the facts.

As you know, the Government of the United States at first published a version alleging that the U-2 plane was studying the upper layers of the atmosphere and later on, caught red-handed, declared that air espionage against the Soviet Union was its calculated policy.

Speaking in the Senate Foreign Relations Committee, Secretary of State Herter described the statement issued by his department as a cover story prompted allegedly only by a humane desire, a desire above all to protect the pilot, that is, Powers. In this case too the United States Secretary of State did not speak the truth, since neither he nor his colleagues in the Eisenhower-Nixon Administration thought of protecting Powers, but, on the contrary, were very displeased that he had not carried out the suicide instructions and remained alive.

Yet, the materials of the preliminary investigation and the judicial investigation have irrefutably established that the plane piloted by Powers intruded into the air space of the Soviet Union on orders from the American authorities who had instructions from the United States Government to effect the intrusion or, as the statement by Secretary of State Herter says, to penetrate within the frontiers of other countries.

In the given case the point is that the United States Government has proclaimed systematic espionage intrusions within the confines of the Soviet Union an integral part of its national policy, in fact laying claims to some exceptional rights both with regard to the Soviet Union and to other states.

And, as has been learned from the explanations made by the United States Secretary of State, the Eisenhower-Nixon Administration has been pursuing such a policy from the very beginning of its term of office.

In carrying out this policy, the ruling monopoly circles of America do not even stop at committing such actions which directly endanger universal peace, which are taken only when nations are at war.

What I have said gives the defence the right to assert with complete confidence that the appearance of Powers over Soviet territory was not a manifestation of his own will but was predetermined by the will of the aggressive circles behind him, specifically the Central Intelligence Agency of the United States headed by Allen Dulles, in the system of which Powers was a small pawn.

In other words, though Powers was the direct perpetrator, he is not the main culprit, notwithstanding the fact that the case heard today is associated with his name.

In this connection it is unfortunate that Powers alone is in the dock. If those who sent him to commit this crime were alongside of him, there is no doubt that the position of my client Powers would be different and he would then hold a secondary place and consequently could undoubtedly expect a considerable mitigation of punishment.

It goes without saying that I do not absolve Powers from responsibility in arguing this way, but I want to emphasise and draw your attention to the fact that he committed this crime not of his own volition and reasoning, but on orders from above, on orders from his masters; moreover, he was not connected with any of them, except his direct superior, Colonel Shelton, and was not even informed by them about the plans they harboured in sending him to commit this crime. More than that they deliberately misled him, assuring him that the flight over Soviet territory was absolutely safe and did not involve any risk. Thus, defendant Powers testified :

“I was informed that the Soviet Union did not possess the means to hit my plane.”

However, life corrected these assurances given by Colonel Shelton and others and Powers, having run a deadly risk, is now, thanks to the vigilance of a unit of the Soviet rocket forces, faced with the necessity to answer for his actions to a Soviet court of justice.

This to a certain extent lays emphasis on the place Powers held among those who are really guilty of the crime and who, in all fairness, should bear their punishment in full measure.

On this score Powers himself testified :

“My task was to carry out orders given to me . . . I felt well though I was a bit nervous because I did not enjoy the flight, but I was carrying out the assignment of my bosses.”

Comrades Judges, Powers has testified that before taking off, the

orders he received from the commander of the "Ten-Ten" detachment, Colonel Shelton, were that in the event of a forced landing, or if he had to bale out, he was to destroy the plane with all the equipment by pressing two levers, and that in the case of capture and ill-treatment Powers was to commit suicide.

This order shows how carefully the Central Intelligence Agency of the United States guarded the secret of the Lockheed U-2 aircraft and its equipment. Moreover, this shows the extent to which Power's bosses feared his testimony to which you listened so attentively at this trial.

Yet, when the plane was shot down, instead of destroying it, Powers baled out and upon reaching the ground, instead of killing himself with the poison needle solicitously given to him by the self-same Colonel Shelton, remained alive and gave testimony.

There can be different explanations of Powers' behaviour in this case, but one thing is indisputable, namely, that all this to a certain extent has helped to establish the truth about the shot-down plane and at the same time has once again most strikingly exposed the aggressive and perfidious foreign policy of the United States, carefully disguised by hypocritical phrases about peace and defence of the so-called "free world".

The defence is convinced that in determining the punishment for Powers you will have to take into account this breach of Colonel Shelton's order on his part.

Comrades Judges, deciding on the punishment for Powers, you cannot but take into account the testimony given by Powers both at the preliminary investigation stage, and at the trial.

Concerning his testimony Powers says:

"I am doing all my best to be honest . . . I wish to be frank."

And this cannot be denied him because his behaviour during the interrogations shows that the explanations he has given are not just phrases, not an attempt to mislead the investigating bodies and the court, but are truthful and sincere.

I do not know whether Powers has told the whole truth, but what he has told is the truth.

Is it not a fact that everything that constitutes the substance and subject of his guilt, of the guilt of his masters, was reflected by Powers himself in his testimony given with all details which, I repeat, leave no room for doubt concerning the truthfulness and sincerity of this testimony.

It is a fact that the divulgence of state secrets in the United States is punishable by ten years' imprisonment, or a fine of 10,000 dollars, or both.

Despite this, Powers gave truthful testimony and thus entered into a sharp conflict with his employer.

It is not accidental that in testimony given at the preliminary investigation defendant Powers said :

“I know that I shall be tried in your court, but if I happen to return home I shall be tried there as well. But this worries me little because I am not likely to return home.”

Who can tell, perhaps all this, the testimony written in his own hand and the testimony he repeatedly gave voluntarily to the investigator, are the result of the internal change which started when he, although not of his own free will, came into contact with Soviet people and realised that much of what he had been told in America about the Soviet Union and the Soviet people was in contradiction with reality.

Testifying on this score, defendant Powers said :

“I was deceived by my bosses. I never expected to experience such good treatment here.”

If in some cases the testimony of Powers is reserved and if sometimes he is not too talkative, this is explained, Comrades Judges, by the fact that to this day he is still held captive by those forces who sent him to commit this crime. Moreover, he realises perfectly well what are the ethical standards, if any, of the Central Intelligence Agency of the United States. I believe I need not continue to expound my considerations concerning the motives underlying the behaviour of Powers after his detention.

Under all circumstances, proceeding from Article 33 of the Fundamentals of the Criminal Code of the U.S.S.R., such testimony and such behaviour of the defendant constitute circumstances mitigating his responsibility and, as a rule, they serve as grounds for a more lenient attitude towards him, grave as his crime may appear.

Comrades Judges, to get a right idea of the ways which have led Powers to the Central Intelligence Agency of the United States and made him a tool of the aggressive policy of the Eisenhower-Nixon-Herter Administration, it is necessary to cast at least a cursory glance at the course of Powers' life.

As you know, Powers was born in 1929 in Bourdyne, Kentucky, and comes from a family of working people.

His father worked a considerable part of his life in the pits as a miner. Then, after having been injured on the job, he had to give up work in the mines and became a shoemaker, opening up for this purpose a small shop, in which he employed no hired labour. In fact, the shop was the sole means of livelihood for the large Powers family. The small farm which the defendant's father had inherited did not produce for the market and merely satisfied the needs of the family. Though he lacked sufficient means, Powers' father sought to give his son a higher education and wanted him to be a doctor.

But Francis Powers himself did not like that profession, because,

according to him, it demanded much time and effort and he could not measure up to it.

Moreover, Powers wanted to get on his own feet as quickly as possible so as to relieve his father of the sacrifice the latter had to make if he were to continue his studies because in the United States a higher education involves large expenses.

That is why, when in 1950 Powers graduated from Milligan College near Johnston City, he did not go on to study medicine but started working as a life-guard in a swimming pool.

But that work proved to be temporary and he was unable to find a regular job because of the mass unemployment in the United States. Moreover, his forthcoming draft into the army was a considerable hindrance in getting work. That is why Powers at the end of 1950, without waiting to be drafted, voluntarily joined the United States Air Force which enabled him to obtain a profession and with it regular employment, and not to worry about the future.

After graduating from pilots' courses there, Powers in 1952 was given the rank of lieutenant and qualified as a fighter pilot.

After that Powers slowly but surely made his way in the desired direction and like every American, was taught to worship the "almighty" dollar.

The ruling monopoly circles of the United States cannot reconcile themselves to the existence of a socialist country in which the social system is based upon the principle of social justice, on love and respect for the dignity of man.

That is why they strive to create in the minds of Americans a false idea about the Soviet Union, to imbue them with hatred for it. It is a fact that such propaganda about the Soviet Union has been, and is being conducted in the United States through the press, radio, films, and other media.

Could it leave client Powers unaffected? I think it could not.

And Powers himself testifies that he knows about the Soviet Union only what the American newspapers write about it.

It is well known that American newspapers (except the progressive press) if they do write about the Soviet Union, usually do so in a bad way, chiefly by slander.

Consequently, such propaganda could not but affect the character and upbringing of Powers himself, and especially, his conception about the Soviet Union.

It is not accidental that in his testimony during the preliminary investigations Powers says that he did not expect such a humane attitude towards himself. He expected to be tortured and humiliated.

Powers takes little interest in the international situation and international relations; moreover, he says that this is none of his business and that it should be left to other people, to specialists.

Powers does not belong to any political party and says that had he taken part in elections, he would have voted for the Republicans and only for the single reason that his parents vote for them.

In general, all this is of little interest to him; politically he is passive. Powers is only preoccupied with his work and thinks of how to secure his future.

In view of this, at a first glance it seems incomprehensible how it could happen that Powers, who in fact had no political aspirations and preferences, could have become involved in such a large and dangerous political venture.

The answer to this is furnished by the conditions of life in capitalist America, with its permanent mass unemployment, with the prevailing bourgeois ethics, of which strongly expressed individualism and greed are a characteristic feature.

Engels wrote that the bourgeoisie "knows no other bliss except quick enrichment, knows no suffering except monetary losses. With such greed, with such avidity for money, not a single movement of the human soul can remain unsullied".

An American proverb which reflects American realities says on this point: money is a bottomless sea in which honour and truth sink.

Thus, in accordance with bourgeois ethics, it is quite permissible to sacrifice honour, honesty and truth for the sake of profit, in the name of the dollar.

In general, in present-day America the "almighty dollar" is uppermost in the minds of people and many Americans seek to enrich themselves, stooping to anything to achieve this goal.

In other words, they strive to make a good "business" and this quest for "business" in reality corrupts the conscience and morally debases the so-called average American, one of whom my client Powers is.

His main aim in life was to have a good job for which he would be paid many dollars: In his testimony of May 31st, 1960, Powers said on this point:

"I wanted money to have a good life. I wanted to buy a good home and if possible to start a business of some kind . . . I would like to own a servicing and filling station."

As a result, in 1956 when he was offered the chance to quit the air force and take a job as a pilot in the Central Intelligence Agency of the United States and promised a much bigger salary than in the air force, that is, 2,500 dollars monthly instead of the 700 he was getting, he willingly, without hesitation, accepted the offer and signed a contract.

Here is what Powers himself said on this point:

"This was a good job with good pay and I did not consider this job dangerous, that is at least not until May 1st. As a result, from the material view-point I lived well, my wife and I had anything we wanted and at the same time we were able to save."

And so, all this enabled Powers to save about 15,000 dollars for the purchase of a house and, moreover, to accumulate about 30,000 dollars under the contract terms.

This is the reason which brought Powers into the dock. Consequently, it was not ideological motives or ill-will that have led Powers to this perfidious, aggressive act, but the "business" ethics in which he was brought up.

Influenced by these ethics, Powers lived under the delusion that "money does not smell" and did not realise that the 2,500 dollars he was receiving from the Central Intelligence Agency did have a most evil smell, though he had some doubts the last time he was prolonging his contract with the Central Intelligence Agency.

On this point defendant Powers testified:

"When I last extended it I had some hesitation, and at present I regret that I extended it. Other pilots had probably more sense and they left after their contract term had expired."

The defence hopes that everything that happened to Powers made him understand correctly the nature of the money he was getting under the contract, which, no doubt, will be an earnest of his upright behaviour in the future.

Comrades Judges, in his testimony of May 3rd, 1960, defendant Powers said:

"I do not know Soviet laws. Perhaps despite my evidence and my behaviour I am to be sentenced to death under your laws."

In this connection it must be stressed that Soviet criminal law does not recognise such a formal approach in passing a sentence upon a person who has committed even a grave crime.

The Soviet court is a humane court in which the motives of formal demands of the law are not the sole and primary motives.

In passing a sentence our court has never been guided by considerations of cruelty and revenge.

One could cite a whole number of court sentences vividly reflecting the humaneness of the Soviet court, but this is hardly necessary because they are widely known not only in our country, but also far beyond its borders. In deciding the fate of a defendant, the Soviet court invariably proceeds not only from the circumstances of the case, but takes into account the defendant's personality and circumstances mitigating his guilt.

In this case the circumstances mitigating Powers' guilt are, as I said

before, his truthful and sincere testimony. But I would not discharge to the end my duty as a Soviet lawyer if I did not set forth to the court my considerations concerning other circumstances which, it is my deep conviction, can be considered as mitigating circumstances.

First of all I would like to draw the court's attention to the age of the defendant.

Powers is still young, he has just turned 31.

I feel in duty bound to remind the court that Powers, while signing the contract with the Central Intelligence Agency of the United States, did not know the real purpose of the task set before him.

Nor should one disregard the doubts that have arisen in Powers' mind as to whether his previous actions in the Central Intelligence Agency of the United States were correct.

It seems to me, therefore, that there is every ground to recognise the existence of mitigating circumstances and to adopt a less severe degree of punishment.

Comrades Judges, our country is strong and powerful as never before and no warmongers, American or any others, or all of them together, can intimidate us and make us bow to them.

The brazen provocation of the American military, as you know, has not changed the foreign policy of the Soviet Government, and the Soviet Union, as hitherto, is urging all upright people to pool their efforts in the struggle for peace and against the intrigues of the aggressors.

The American aggressors did not succeed in deceiving the peoples, and their actions in sending the U-2 spy plane into the air space of the Soviet Union are regarded as a provocation by representatives of most diverse views and convictions abroad.

Even in the United States the provocation of the militarists does not reflect the genuine mood of the American people.

Divergences are also growing amongst the top leadership of the bourgeoisie of the United States, as shown by statements of influential American newspapers and prominent businessmen and politicians.

Comrades Judges, if in this trial, I, as the defence counsel for Powers *ask* you to mitigate his punishment, I proceed not only from the reasons underlying the motives of the crime and the circumstances in which it was committed and also Powers' conduct after his detention, I also proceed from the strength, might and power of the Soviet Union and from the fact that the initiative and strength are at present in the hands of the peace-loving forces, the camp of peace and socialism.

That is why I *ask* you once again, Comrades Judges, when passing sentence to take into account all the considerations I have set forth and to apply to Powers a lighter sentence than that demanded by the State Prosecutor.

Your verdict will add one more example to the numerous instances of the humaneness of the Soviet court, and will offer a sharp contrast to the attitude to Man on the part of the masters of Powers—the Central Intelligence Agency, the ruling reactionary forces of the United States who sent him to certain death and wanted his death.

* * *

After the speech of the Defence Counsel M. Grinev, the defendant Francis G. Powers was allowed to make his last plea.

POWERS' LAST PLEA

YOU HAVE HEARD all the evidence of the case and you must decide what my punishment is to be. I realise that I have committed a grave crime and I realise that I must be punished for it

I ask the court to weigh all the evidence and take into consideration not only the fact that I committed a crime but also the circumstances which led me to do so.

I also ask the court to take into consideration the fact that no secret information reached its destination.

It all fell into the hands of the Soviet authorities.

I realise the Russian people think of me as an enemy. I can understand that, but I would like to stress the fact that I do not feel nor have I ever felt any enmity whatsoever for the Russian people.

I appeal to the court to judge me not as an enemy but as a human being who is not a personal enemy of the Russian people, who has never had any charges brought against him in any court, and who is deeply repentant and profoundly sorry for what he has done.

Thanks.

THE VERDICT IN THE CASE OF THE AMERICAN SPY-PILOT FRANCIS G. POWERS

IN THE NAME of the Union of Soviet Socialist Republics, the Military Collegium of the U.S.S.R. Supreme Court, consisting of: presiding judge—Chairman of the Military Collegium Lieutenant-General of Justice *V. V. Borisoglebsky*, and people's assessors—Major-General of Artillery, *D. Z. Vorobyev*, Major-General of the Air-Force *A. I. Zakharov*, and secretary—Major of the Administrative Service *M. V. Afanasyev*, and with the participation of State Prosecutor—Procurator-General of the U.S.S.R., State Counsellor of Justice *R. A. Rudenko*, and Defence Counsel—*M. I. Grinev*, lawyer, Member of the Moscow City Collegium of Advocates, has in an open court session in the city of Moscow, on August 17th-19th, 1960, heard the case against:

Francis Gary Powers, a citizen of the United States of America, born in 1929 in Bourdyne, Kentucky, a college graduate, pilot of the special "Ten-Ten" intelligence detachment of the United States Central Intelligence Agency, charged with having committed a crime covered by Article 2 of the Law of the U.S.S.R. "On Criminal Responsibility for State Crimes".

Court examination of the materials of the case has established that: On May 1st, 1960, at 5 hours 36 minutes, Moscow time, a military unit of the Soviet anti-aircraft defence in the area of the city of Kirovabad, the Tajik S.S.R., at an altitude of 20,000 metres, unattainable for planes of the civil air fleet, spotted an unknown aircraft violating the state frontier of the U.S.S.R.

The military units of the Soviet anti-aircraft defence vigilantly followed the behaviour of the plane as it flew over major industrial centres and important defence objectives, and only when the intruder plane had penetrated 2,000 kilometres into Soviet territory and the evil purpose of the flight, fraught with disastrous consequences for world peace in an age of thermonuclear weapons, became absolutely obvious, a battery of ground to air missiles brought the aggressor plane down in the area of Sverdlovsk at 8 hours 53 minutes as ordered by the Soviet Government.

The pilot of the plane baled out and was apprehended upon landing. On interrogation, he gave his name as Francis Gary Powers, citizen of the United States of America. Examination of the wreckage of the

plane which had been brought down showed that it was of American make, specially designed for high altitude flights and fitted with various equipment for espionage reconnaissance tasks.

In view of this, the pilot Powers was arrested and committed for trial on charges of espionage against the Soviet Union.

During the court hearings, the defendant Powers testified in detail about his espionage activity and the circumstances connected with the violation of Soviet air space on May 1st, 1960.

In 1950 Powers volunteered for the American army, completed his training at an Air Force school, and served as pilot at various United States Air Force bases with the rank of Senior Lieutenant.

In April, 1956, Powers was recruited by the Central Intelligence Agency of the United States for special intelligence missions in high-altitude aircraft.

After he had concluded a secret contract with the United States Central Intelligence Agency for a term of two years, Powers was allotted a high salary of 2,500 dollars a month for espionage activity. He underwent special training and was assigned to the intelligence air detachment under the code name of "Ten-Ten", stationed at the American-Turkish war base of Incirlik, near the town of Adana, in Turkey.

The court has established that the detachment "Ten-Ten" is a special combination of the United States military and civilian intelligence designed for espionage against the Soviet Union with the help of reconnaissance planes sent into Soviet air space.

Starting with 1956 Powers systematically flew on espionage missions along the Soviet Union's frontiers with Turkey, Iran and Afghanistan, on orders from the "Ten-Ten" detachment's commander. In May, 1958, Powers renewed his secret contract with the Central Intelligence Agency of the United States for a term of two years and in January, 1960, for yet another year.

The materials of the case and the testimony of defendant Powers have established that the criminal intrusion into the air space of the Soviet Union, committed by him on May 1st, 1960, was carefully prepared long before it took place.

On April 27th, 1960, Powers, together with the commander of the detachment "Ten-Ten", the American Colonel Shelton and a group of technical personnel intended for preparing the U-2 plane for its flight, were brought in a United States Air Force transport aircraft from the Incirlik base to the Peshawar airport in Pakistan.

Another pilot ferried the U-2 plane in which Powers was to violate the air space of the Soviet Union to this same airfield from Turkey on April 30th of this year.

On the night of April 30th, 1960, Colonel Shelton gave Powers the assignment to fly over the territory of the Soviet Union at an altitude

of 20,000 metres along the following course: Peshawar, the Aral Sea, Sverdlovsk, Kirov, Archangel, Murmansk, and to land in Norway, at Bodoë airport, with which Powers familiarised himself back in 1958.

Flying over Soviet territory, Powers, on Shelton's orders, was to switch on at definite points his special equipment for aerial photography and the registration of the operation of Soviet anti-aircraft defence radar stations. Powers was to give special attention to two spots—in one of them American intelligence suspected the presence of missile launching ramps and in the other a particularly important defence objective.

The material evidence of the case and his testimony has established that Powers fulfilled the criminal mission given him.

Having taken off from Peshawar airport in Pakistan, Powers flew over the territory of Afghanistan and for more than 2,000 kilometres over the Soviet Union in accordance with the established course. Besides Powers' testimony, this is confirmed by the American flight map discovered in the debris of the U-2 plane and submitted to the court, bearing the route plotted out by Major Dulak, navigator of the detachment "Ten-Ten" and also notes and signs made by Powers, who marked down on this map several important defence objectives of the Soviet Union he had spotted from the plane.

Throughout the flight, to the very moment the plane was shot down, Powers switched on his special intelligence equipment, photographed important defence objectives and recorded signals of the country's anti-aircraft defence radar installations. The development of the rescued aerial photography films established that defendant Powers photographed from the U-2 plane industrial and military objectives of the Soviet Union—plants, depots, oil storage facilities, communication routes, railway bridges and stations, electric transmission lines, aerodromes, the location of troops and military equipment.

The numerous photos of the Soviet Union's territory, taken by defendant Powers from an altitude of 20,000 metres, in possession of the Military Collegium of the U.S.S.R. Supreme Court, make it possible to determine the nature of industrial establishments, the design of railway bridges, the number and type of aircraft on the airfields, the nature and purpose of military material.

Powers tape-recorded impulses of certain radar stations of the Soviet Union with a view to detecting the country's anti-aircraft defence system.

According to the conclusion of experts, the information collected by defendant Powers during his flight in Soviet air space on May 1st, 1960, constitutes a state and military secret of the Soviet Union, which is specially guarded by law.

Powers testified to the court that the U-2 plane was provided with demolition devices, intended for the destruction of the plane in case

of a forced landing on Soviet territory, and that before the flight on May 1st, 1960, Colonel Shelton impressed upon him the necessity of committing suicide in case he were to fall into the hands of Soviet authorities and were tortured. It was precisely for this purpose that Colonel Shelton gave him a special poison needle.

Besides the poison needle, the following objects were confiscated from Powers during his apprehension: a noiseless pistol with cartridges, a dagger, fishing gear, a pneumatic boat, topographical maps of the Soviet Union, means for making camp fires, signal boxes, an electric torchlight, compasses, a saw, food concentrates, drugs, 7,500 roubles in Soviet currency, and valuables (gold coins, rings, wrist watches) which, as Powers testified, were intended for bribing Soviet people in case of a forced landing of the U-2 in Soviet territory.

The Military Collegium of the U.S.S.R. Supreme Court has also examined other evidence confirming that a Soviet rocket unit brought down on May 1st, 1960, an aircraft belonging to the United States Air Force.

Despite the fact that the plane which was brought down lacked identification marks, the experts have determined through the examination of the wreckage of the plane and the equipment on board that it was a subsonic U-2 reconnaissance aircraft of the American Lockheed company with one turbo-jet engine.

The equipment and parts of the plane had trade marks of various American companies, which show, in particular, that the turbo-jet engine was manufactured by the Pratt-Whitney company, and the starting and electrical supply equipment, by the Hamilton-Standard and General Electric companies. Furthermore, the equipment had markings indicating that it belonged to the United States military establishment.

The material evidence put before defendant Powers was recognised by him as belonging to the U-2 aircraft in which he violated the air space of the Soviet Union on May 1st of this year.

The identification card AFI 288,068, found on Powers and included in the materials of the case, carried the emblem of the United States Defence Department and the inscription: "Defence Department. United States of America."

Thus, the court hearings have established definitely that the Lockheed U-2 reconnaissance aircraft belonged to the United States Air Force and that defendant Powers was a secret agent of the Central Intelligence Agency of the United States of America.

Powers was an obedient executor of the perfidious designs of the Central Intelligence Agency of the United States of America, carried out with the consent of the American Government.

Powers himself admitted that he realised when intruding into the air space of the Soviet Union that he was violating the national

sovereignty of the U.S.S.R. and flying over its territory on an espionage mission, whose main purpose consisted of detecting and marking down missile launching sites.

Examined by the court, witnesses V. P. Surin and A. F. Cheremisin, L. A. Chuzhakin, and P. E. Asabin testified that they witnessed the falling of the plane in the area of Sverdlovsk and the landing of the parachutist, whom they apprehended and disarmed.

The detained person proved to be Powers.

In considering the Powers case, the Military Collegium of the U.S.S.R. Supreme Court takes into account that the intrusion of the American military intelligence plane constitutes a criminal breach of a generally recognised principle of international law, which establishes the exclusive sovereignty of every state over the air space above its territory. This principle, laid down by the Paris convention of October 13th, 1919, for the regulation of aerial navigation and several other subsequent international agreements, is proclaimed in the national legislations of different states, including the Soviet Union and the United States of America.

Violation of this sacred and immutable principle of international relations creates in the present conditions a direct menace to universal peace and international security.

At the present level of military technology, when certain states possess atomic and hydrogen weapons as well as the means of delivering them quickly to targets, the flight of a military intelligence plane over Soviet territory could have directly preceded a military attack. This danger is the more possible in conditions when the United States of America, as stated by American generals, constantly keeps bomber patrols in the air, always ready to drop bombs on earlier marked-out targets of the Soviet Union.

Under these conditions the aggressive act of the United States of America, carried out on May 1st of this year by defendant Powers, created a threat to universal peace.

Material evidence at the disposal of the Military Collegium of the Supreme Court leaves no doubt that, by his aggressive intrusion into the air space of the Soviet Union, defendant Powers implemented far-reaching plans of reactionary quarters of the United States of America, calculated to aggravate international tension.

After the head of the Soviet Government, N. S. Khrushchov, announced at the session of the Supreme Soviet of the U.S.S.R. on May 5th of the current year that an American plane had been shot down over the territory of the Soviet Union, the State Department of the United States of America, having recognised as "fully possible" the fact of the violation of the Soviet frontier by an American plane, tried to mislead world public opinion.

Such was the purpose of the fabricated statements by the United

States National Aeronautics and Space Administration and the State Department about the U-2 plane accidentally straying off course while allegedly conducting scientific research.

In his winding-up speech at the session of the Supreme Soviet of the U.S.S.R. on May 7th, Comrade N. S. Khrushchov exposed the falsity of these allegations.

After that the American leaders—President Eisenhower, Vice-President Nixon and State Secretary Herter—admitted that spying flights over Soviet territory by American planes constitute part of the “calculated policy of the United States of America”.

Thus, the leaders of the United States of America proclaimed the violation of the sovereignty of other states and espionage against them as the official state policy of America.

The subsequent events confirmed that the aggressive intrusion of the U-2 intelligence plane into the air space of the Soviet Union on May 1st was deliberately prepared by reactionary quarters of the United States of America in order to torpedo the Paris Summit meeting, to prevent the easing of international tension, to breathe new life into the senile cold war policy which is hated by all the peoples.

The Military Collegium of the Supreme Court of the Soviet Union has established that Powers could not have carried out the spy missions assigned to him without the use by the United States of America, for aggressive purposes, of the war bases and aerodromes on the territories of the states neighbouring on the Soviet Union, including the territories of Turkey, Iran, Pakistan and Norway.

Powers' flight has proved that the Government of the United States of America, having bound Turkey, Iran, Pakistan, Norway and other states by bilateral military agreements, has established war bases and aerodromes on their territories for dangerous provocative actions, making these states accomplices in the aggression against the Soviet Union.

Having examined the materials of the case, material and other evidence and expert findings, and having heard the testimony of the defendant and the witnesses, the speeches of the State Prosecutor and of the Defence Counsel, and also the last plea of the defendant, the Military Collegium of the U.S.S.R. Supreme Court holds established that defendant Powers was for a long time an active secret agent of the United States Central Intelligence Agency, directly fulfilling espionage missions of this agency against the Soviet Union; and that on May 1st, 1960, with the knowledge of the Government of the United States of America, in a specially equipped U-2 intelligence plane, he intruded into Soviet air space and with the help of special radio-technical and photographic equipment collected information of strategical importance, which constitutes a state and military secret of the Soviet state, thereby committing a grave crime covered by Article

2 of the Soviet Union's Law "On Criminal Responsibility for State Crimes".

At the same time, weighing all the circumstances of the given case in the deep conviction that they are inter-related, taking into account Powers' sincere confession of his guilt and his sincere repentance, proceeding from the principles of socialist humaneness, and guided by Articles 319 and 320 of the Code of Criminal Procedure of the Russian Federation, the Military Collegium of the U.S.S.R. Supreme Court *sentences:*

Francis Gary Powers, on the strength of Article 2 of the U.S.S.R. Law "On Criminal Responsibility for State Crimes", to *ten* years' confinement with the first three years to be served in prison.

The term of punishment, including the preliminary detention, shall be counted as from May 1st, 1960.

The material evidence is to be kept with the file of the case. The money and valuables taken from Powers shall be forfeited to the state treasury.

In conformity with Article 44 of the "Fundamental Principles of the Criminal Procedure of the Soviet Union and the Union Republics" the sentence is final and not subject to appeal or cassation.

Presiding Judge: V. BORISOGLEBSKY.

People's Assessors: D. VOROBYEV,
A. ZAKHAROV.

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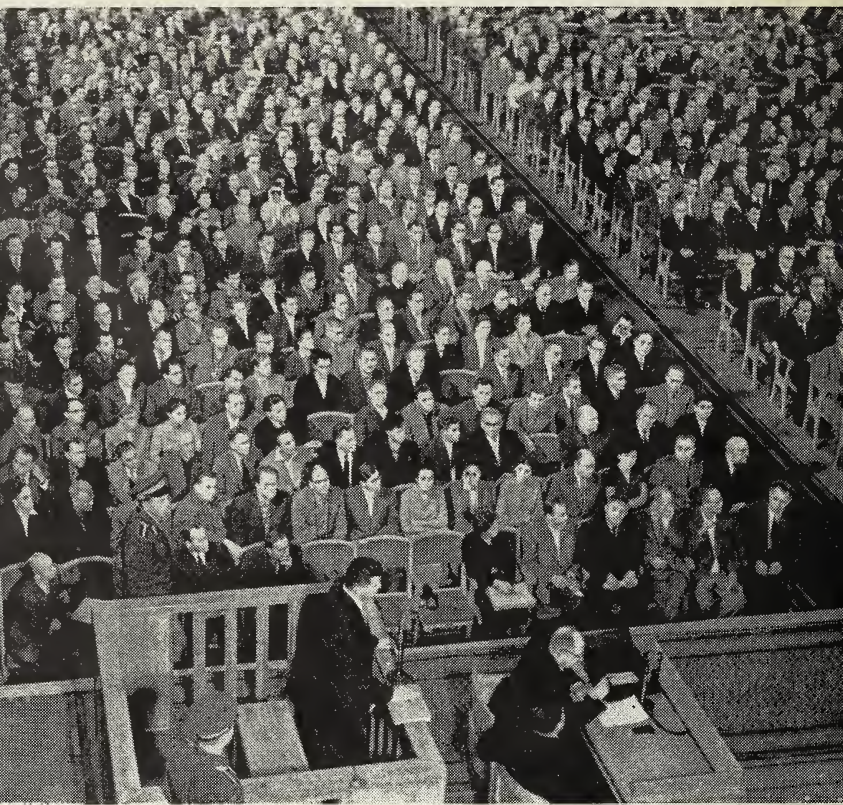
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*On the right: Powers
is brought into court
for his trial.*

*Below: He is seen
after the verdict,
with his wife (left)
and father and
mother.*





*A view of the court-
room filled with ob-
servers, press, and
public, as Powers is
interrogated.*